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ACCOUNTS AND PAPERS:

THIRTY-SIX VOLUMES.

—(12.)—

EAST INDIA.

NORTH-WEST FRONTIER; PAPER CURRENCY;
RAILWAYS; REGIMENTAL WORKSHOPS;
SEDASHEGAR HARBOUR;
TELEGRAPHIC COMMUNICATION, &c.; WASTE LANDS.

Session

4 *February* —— 29 *July* 1864.

VOL. XLIII.

1864.

ACCOUNTS AND PAPERS:

1864.

THIRTY-SIX VOLUMES:—CONTENTS OF THE

TWELFTH VOLUME.

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India Office,
17 March 1864.

J. W. KAYE,
Secretary, Political Department.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*,
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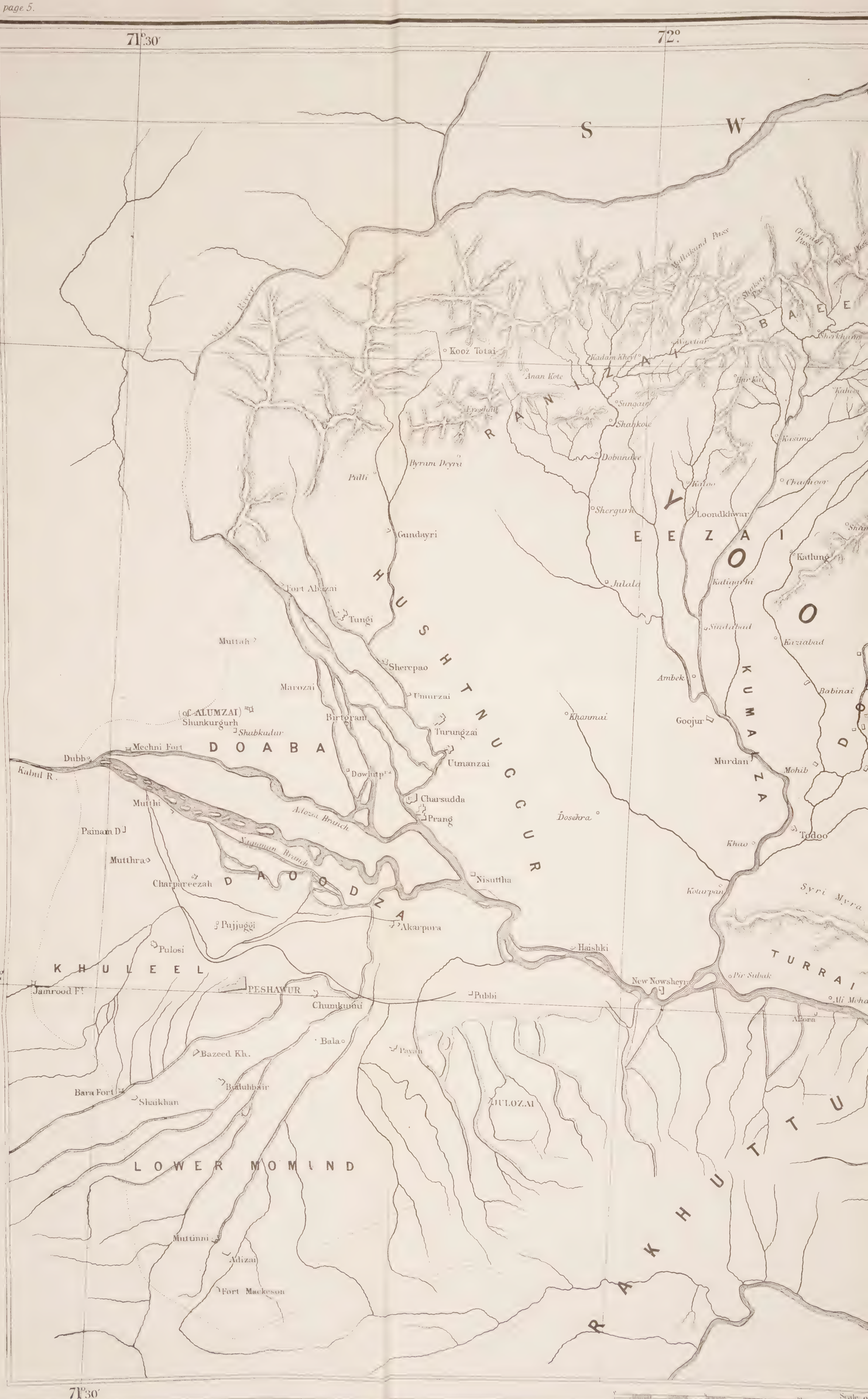

MAP ILLUSTRATIVE
OF THE
MILITARY OPERATIONS
IN THE
NORTH WEST FRONTIER.

No. 158. Ordered by the House of Commons, to be printed, 18 March, 1864.

COPY of PAPERS relating to the late DISTURBANCES in the NORTH WEST FRONTIER of INDIA.

Foreign Department, Political.—No. 67.

The Earl of *Elgin* to the Right Honourable Sir *Charles Wood*, Bart., G. C. B., Her Majesty's Secretary of State for India.

Sir, Camp Kôt, 4 October 1863.

I HAVE the honour to transmit herewith, for the information of Her Majesty's Government, copy of a correspondence, of which a list is given in the accompanying abstract of contents, regarding aggressions on the Huzara frontier, and the measures proposed to be taken for repelling the attacks of the Hindoostanee fanatics of Sittana.

The Syuds of Sittana are the remnant of the followers of a notorious adventurer, Syud Ahmed, who, gathering a band of ghazees or devotees from various parts of India, raised a formidable rebellion in Peshawur under the Sikh rule. Syud Ahmed was slain in battle by Shere Sing, most of his followers dispersed, and the remnant of them settled at Sittana. This colony has always given trouble to the British Government.

In 1858 it was found necessary to send a force into the hills to chastise them. Sittana was destroyed, and the colony was forced to retire to Mulka, on a spur of the Mahabun mountain, which was given them by the Amazai tribe. Engagements were taken from the Otmanzais and Jydoons not to permit their return. These engagements were soon broken, and in April 1861 the Lieutenant Governor of the Punjab reported that the Kubbul and Kya sections of the Otmanzais and the Jydoons had permitted the colony to return and to occupy a strong post at Sirree, from which they had committed several outrages.

These tribes were blockaded until they should give redress for the injuries done, and expel the fanatic colony. This they eventually did in October 1861, when their engagements to prevent the return of the fanatics were renewed.

In August 1862, the Lieutenant Governor of the Punjab had again to report the breach of these engagements. The Otmanzais excused themselves on the plea of inability to resist the pressure of the Syuds and Jydoons. The Jydoons had no such plea. The tribes of Amazai and Mudda Kheyl, who were under no engagements with the British Government, also favoured the fanatics. The Lieutenant Governor of the Punjab was of opinion that, although such engagements with the border tribes are useful and important, they would not be of much use unless the colony of fanatics who were at the bottom of all the intrigues were again attacked and dispersed. They had recently received an accession of 1,500 to their number. The Lieutenant Governor, therefore, proposed to send a force of 5,000 or 6,000 men into the country, and that on the conclusion of military operations the force should remain for some days on the top of Mahabun, in order to carry out the political objects in view; which were, 1st, the punishment, if they resist, by sword, if they submit, by fine, of the Jydoons and Otmanzais, for the breach of their engagements and the renewal thereof. 2nd, the exaction of engagements from the Amazai, Mudda Kheyl, and Hussunzai, to prevent the residence of the fanatics within their bounds, or the passage of robbers through their country. 3rd, the attack on Mulka and the dispersion of the fanatics.

For various reasons I considered the time inopportune for an expedition.

In his letter No. 108 dated 9th July 1863, the Lieutenant Governor of the Punjab reported that the colony had re-occupied Sittana, and apparently threatened the territory of the chief of Umb. They had not only not been resisted, but had been aided by the border tribes. The chief of Umb had applied for assistance. The Deputy Commissioner of Hazara had called on the Jydoons to fulfil their engagements by expelling the colony, and had directed the Umb people to make every arrangement for resisting the apprehended attack.

The Lieutenant Governor of the Punjab, having promised to keep me informed of any aggressive proceedings on the part of the fanatics, reported in his letter of the 15th idem that the Hindoostanees, in some force, said to be 700, but probably fewer, had actually taken possession of Sittana, and entrenched themselves there. They had probably been invited by a faction of the Otmanzais, and were supported by a strong party among the Jydoons. The police posts on the British side of the river had been strengthened as much as possible, and the Deputy Commissioner of Hazara had warned the Sirdars, whose estates border the river, to hold themselves in readiness to support the police. The Commissioner of Peshawur had proposed that the Otmanzai and Jydoon tribes who had violated their engagements should be excluded from British territories, and the Lieutenant Governor of the Punjab sanctioned this blockade after the tribes had received due warning, and refused to fulfil their engagements.

The Hindoostanee fanatics appear to be headed by one Syed Mahmoud Shah, who took service with the British Government in 1857, and was afterwards employed in the police as rissaldar, but was discharged on the reduction of the police force. He applied to the Punjab Government first for a grant of Sittana, and then for permission to take possession of it without the interference of the British Government. His petition was rejected, as Sittana is beyond the British territory, but he has given out that he holds a perwannah from the British Government authorising him to settle in Sittana.

On the 18th July the Government of the Punjab forwarded two demi-official letters, one from the Commissioner of Peshawur, and the other from Sir N. Chamberlain. The Lieutenant Governor did not believe that the blockade of the tribes would have much effect. He was of opinion that it would be impolitic to allow the Umb chief to fall a prey to the fanatics, but was averse to the movement of the troops at such an unfavourable season. Besides, the available force at the time was too small. The Lieutenant Governor, however, thought that for the present it would be sufficient to authorise the Commissioner of Peshawur to call on the chiefs who hold their lands on service tenure to support the Umb chief. This would give the chief courage, and would probably deter the fanatics from attacking them. He would give the levies of the chiefs no pay, as Government had a right to their services, but would allow a small sum for food. Boats would be collected at the ferry on the British side, so as to keep command of the passage of the river.

These measures met with my full approval.

A most pretentious letter from Mahomed Shah to the address of the Commissioner of Peshawur was submitted by the Punjab Government in their letter dated 27 July. The Lieutenant Governor left it optional with the Commissioner to answer it. He, however, advised the Commissioner that the proper course would be to deal with the defaulting Jydoons and Otmanzais direct, and not through the fanatics. The Commissioner found that to enforce the blockade would be to invite an attack on Umb, which it was therefore necessary to strengthen. He had therefore called out the levies of the Sirdars, 50 horse and 350 foot, and posted them on the side of the river opposite to Umb, an arrangement which the Lieutenant Governor of the Punjab approved of.

Subsequent letters received from the Punjab Government reported the increasing activity of the Sittana colony, and that an attack had been made by 500 or 600 men of the Hussunzai tribe on some villages in Umb territory.

The Lieutenant Governor of the Punjab, having been called upon for a confidential report of the ulterior measures intended to be taken against the Sittana fanatics and the tribes who had supported them, submitted a report from Col. Taylor, together with his own views, in a letter dated 15th September, No. 156. The report, after giving a summary of our previous relations with the colony and the tribes, the recent threatened aggressions, and the measures taken to support Umb, advocates the despatch of a strong force to punish the hostile tribes as the only means of securing permanent peace on the frontier.

I have

I have approved generally of the proposals of the Lieutenant Governor of the Punjab, and would refer Her Majesty's Government to the letter to the address of the Punjab Government, No. 639, dated 24 September, containing my special instructions in full for carrying out the objects of the expedition.

I have, &c.
(signed) *Elgin* and *Kincardine.*

Enclosures to No. 67 of 1863.

(No. 108—514.)

FROM Secretary to Government, Punjab, to the Secretary to Government of India, Foreign Department, with the Governor General; dated Murree, 9 July 1863.

Sir,

WITH reference to Mr. Davies' letter, No. 463, dated 16th August 1862, submitting, for the consideration of his Excellency the Governor General in Council, a report on the conduct of the Hindoostanee fanatics at Mulka, on the Huzara border, Trans-Indus, I am now directed by the Honourable the Lieutenant Governor to inform you that the Hindoostanees have re-occupied Sittana, and apparently threaten the territory of the Tunnowlee Chief of Umb, whose country lies on both sides of the Indus.

2. Referring to Mr. Davies' letter above quoted, it will be seen that in May 1858, a force, under the command of Major General Sir S. Cotton, K.C.B., entered the Hills, destroyed Sittana, and caused the Hindoostanees and Syuds to retire to Mulka, a village on the slopes of Mahabun, which was granted them by the Amazai tribe.

3. Engagements were then taken from the Otmanzais and Jydoons to unite in expelling and keeping out the Syuds and Hindoostanees, and in resisting any third tribe which should endeavour to bring them back. They also bound themselves to prevent robbers or other criminals from passing through their country for the purpose of committing crimes in British territory.

4. In 1861, these engagements were broken by the Jydoons and Otmanzais, and a blockade against both tribes was established, which sufficed to induce them to compel the retirement of the Syuds and Hindoostanees to Mulka, from the post within the Sittana bounds, which they had recovered.

5. Fresh engagements were then taken from the Jydoons and Otmanzais, which were again broken by them, as they failed to restrain robbers from infesting the high roads, and committing wholesale depredation.

6 On this occasion, the Otmanzais excused themselves by professing their inability to resist the pressure of the Syuds and Jydoons.

7. The Jydoons had no excuse whatever for their repeated breaches of engagements, and the Lieutenan General represented to the Supreme Government that both the tribes deserve punishment, but that, in order to eradicate the evil, it would be necessary to disperse the Syuds and their fanatical followers.

8. I am now directed to report that, from the statements furnished to the Deputy Commissioner of Huzara, the Syuds and Hindoostanees, apparently, not only not resisted, but even assisted by other tribes, have marched on Sittana and taken up their position there.

9. The position they now occupy is within 11 miles of Umb, the authorities of which place have communicated to the Deputy Commissioner their alarm of an attack which they are preparing to repel; at the same time they desire our assistance.

10. The Deputy Commissioner has called on the Jydoons to fulfil their engagements, and expel the Hindoostanees, and has directed the Tunnowlees to make every arrangement for resisting the apprehended attack.

11. The reports hitherto have been sent demi-officially to the Honourable the

Lieutenant Governor. If necessary, the Commissioner of Peshawur will proceed to Huzara to make further arrangements.

12. The Lieutenant Governor will keep the Supreme Government informed of any further aggressive proceedings on the part of the Syuds and Hindoostanees.

I have, &c.
(signed) *T. D. Forsyth*,
Officiating Secretary to Government, Punjab.

Foreign Department Political.—No. 438.

From the Under Secretary to the Government of India, with the Governor General, to the Officiating Secretary to Government, Punjab. Dated Simla, 21 July 1863.

Sir,

With reference to your letter (No. 108—514), dated 9th July, submitting a report on the conduct of the Hindoostani fanatics, who, it is stated, have re-occupied Sittana, and threaten the territory of the Chief of Umb, I am directed by his Excellency the Viceroy and Governor General to request that the Supreme Government may be kept informed of any aggressive proceedings on the part of the fanatics, and of the measures taken by the Jydoons and Otmanzais in fulfilment of their engagements.

2. The names of the tribes who have assisted the fanatics, should, when correctly ascertained, be communicated to Government, and a vigilant attention kept as to the support the fanatics may receive from foreign or more distant quarters.

I have, &c.
(signed) *C. U. Aitchison.*

(No. 116—544.)

From the Secretary to Government, Punjab, to the Secretary to Government of India, Foreign Department, with the Governor General. Dated 15 July 1863.

In continuation of No. 108—514, dated 9th inst., forwards for the information of his Excellency the Viceroy and Governor General, copy of a correspondence received from the Commissioner of Peshawur, reporting that the Hindoostanee fanatics have again descended to their former position at Sittana, together with copy of instructions issued to the Commissioner, authorising the enforcement of a blockade against the Jydoons and Otmanzais, should they refuse to act up to the terms of their agreements.

By order, &c.
(signed) *T. D. Forsyth*,
Officiating Secretary to Government, Punjab.

Copy of a Letter, No. 127, dated 9th July 1863, from the Commissioner and Superintendent, Peshawur Division, to the Secretary to Government, Punjab.

No. 195—579, dated 3 July 1863.
No. 199—528, dated 6 July 1863.

I beg to forward copies of the letters noted in the margin from the Deputy Commissioner of Huzara, reporting the fact of the Hindoostanee fanatics located at Mulkah, to which place they were driven by the operations of the expedition under Sir S. Cotton, in May and June 1858, having again descended to their former position at Sittana, at or near which they now show every disposition to re-establish themselves.

Their being permitted to return is distinctly contrary to the engagements entered into by the Jydoon and Otmunzai tribes, the records of which I have examined.

Major Coxe has, on the Huzara side, as you will perceive, called upon the Jydoon jirghas to account for this breach of faith; and I am on this side pressing the more western branches of the family on the same grounds, but I did not expect any fruit from this without more stringent measures; and I request to be empowered at once to reimpose the blockade of the Jydoon tribe, which was only opened in 1861, on their atoning for having failed in their engagements and signing fresh agreements for the future.

The

The reimposition of the blockade will show the tribes that we are in earnest, and we can then at leisure decide on the steps necessary to adjust this, at present, not very promising quarrel.

Copy of a Letter, No. 195—579, dated 3d July 1863, from the Deputy Commissioner, Huzara, to the Commissioner, Peshawur Division.

I had the honour to bring to your notice, in two semi-official letters lately, that there was a movement on the part of the Syuds of Mulkah and their Hindoostanee followers in the direction of Sittana.

2. The information then received was not of a tangible or satisfactory nature; but from reports received last night and this morning, I am in a position to furnish a tolerably accurate statement of matters as they stand at present.

3. Syud Mahomed Shah, late rissaldar in the Lahore police, and nephew, I believe, of Mobaruck Shah, has come down to Sittana with some 100 or 200 followers, whom some of my informants state to be Hindoostanees, and others, with more correctness, I suspect, assert to be Jydoons. His object is, avowedly at least, to take up his residence in Sittana. He has, I am informed, given out that he has a purwanah from the Government authorising him to take up his abode at Sittana. I believe this assertion of his to be quite probable, for he addressed a petition to me some two months ago, stating that he understood orders had been given by Government to allow him to reside in Sittana, and requesting my permission to that effect, to which, of course, I replied with a decided negative.

4. But besides the party with Mahmood Shah, it is stated that Mobaruk Shah and Syud Umran have come down to Gobia with some hundreds of Hindoostanees; and this is confirmed by a petition received this morning from Mahmood Shah, in which he states that Mobaruk Shah and Syud Umran have come down to Gobia with 600 men to assist in the amicable adjustment of his (Mahmood Shah's) claim against the Pathans, who have occupied his land—meaning, I imagine, Sittana.

5. I think it quite probable that this (the inhabiting of Sittana) may be the primary object of the movement, though, of course, there are manifold rumours of other designs on the part of the Syuds, the Otmunzais holding that their object is the ravaging of Khubul and Kyah, and Mahomed Shifan anticipating the attack and plunder of Umb.

6. But, whatever the ultimate design, it is obvious that the present location of any representative of the Syuds' party in Sittana cannot be permitted in face of the positive engagements entered into by the Jydoon Jirghas, that they would never allow the Syuds to re-occupy Sittana.

7. With this view I addressed the Jydoons on hearing the first rumours of the Syuds' movement, reminding them of their engagement with the British Government, and I am now sending a positive injunction to the Jirghas to act up to their agreement, and cause the Syuds to withdraw at once and entirely from the forbidden locality.

8. Practically, the Jydoons have already violated their pledge to the Government, and are fairly liable to the penalties due to their infraction, but I imagine you would wish that a collision should be avoided if possible, and therefore I have left them this loophole to escape by; but in the event of our just requisitions not meeting with a prompt compliance, I would solicit sanction to the immediate blockade of the offending tribes. This, as you are aware, can be more effectually enforced in Eusufzai than in this district, where the traffic of the upper Jydoon especially is trifling.

9. From a report received this morning from the Inspector of Police, Hurripore, now on duty at Chowkie Tuvee, opposite Sittana, it would appear that there are about 700 Hindoostanees now at Sittana, though I believe his estimate is much exaggerated. The Inspector reports that he saw them parading on the river bank, and calculated their number to be as above stated. He reports further, that they were engaged during the day in constructing dwelling-places, and that they have occupied a tower which stands between Kyah and Sittana.

10. The fact may, then, be accepted as certain that the Syuds have returned to their old quarters, in some proportion at least; and it may be inferred also that they have won over a considerable party of the Jydoons to their factions, and that the tribe will not be able, or perhaps willing, to effect their ejection.

11. It remains to be determined whether, in the event of the Jydoons not effecting the expulsion of the Hindoostanees from Sittana, any further steps are to be taken with reference to the Hindoostanees themselves; and this, of course, must rest with the Government to decide.

12. The chowkies and thanas on the river, viz., Torbela, Tuvee, and Kirplean, have been strengthened, as far as the limited means available in the police department extend, but the reinforcements amounted only to 15 foot and 10 horse. I imagine that it

would not be expedient, and probably not necessary, to move any body of troops to the neighbourhood in the present state of affairs; but I should be glad of an expression of your views on this point.

P.S.—I have reported demi-officially to the Lieutenant Governor.

COPY of a LETTER, No. 199—528, dated 6 July 1863, from the Deputy Commissioner, Huzara, to the Commissioner, Peshawur Division.

I HAVE the honour to report, in continuation of my letter of 3d. current, that the Syuds, with their Hindoostanee followers, have occupied Sittana, the upper and lower Kyah, and are now reported to have surrounded Khubul, which, as you are aware, is directly opposite to our thana of Torbela. All this has been done without an attempt at resistance by the Otmanzais, and, so far as I have yet heard, not a shot has been fired during the one or two days that Khubul has been surrounded. This gives a strong probability to the reports which have reached me, that the Syuds came with their followers at the invitation of a party among the Otmanzais. Dissensions have been going on among the Otmanzai factions for some time past, and I believe it will prove to be the fact that one party secretly solicited the aid of the Hindoostanees; and that the latter, profiting by the opportunity, and supported most probably by a large party among the Jydoons, have re-occupied Sittana, which may or may not have been the inducement holden out by the Otmanzais to the Syuds as a guerdon for their assistance.

2. It must be remembered in dealing with Otmanzais that, distracted by internal feuds, and weak both numerically and morally as a tribe, they are alike the tool and the prey of the more powerful bodies, whether Jydoons or Hindoostanees; and though they have undoubtedly rendered themselves obnoxious to a severe visitation by their conduct on this occasion, if the reports hitherto received are correct, still I should be inclined to deal more leniently with them than with the Jydoons, who, powerful as a tribe, and with no pressure exercised upon them, have no excuse for the countenance afforded by them to the Syuds in this expedition.

3. I have received a petition from a portion of the Salar division of the Jydoons, stating that the Syuds had alleged that they had the permission of Government for the re-occupation of Sittana, for which reason they, the Jydoons, had taken no steps to prevent them, and now that the Syuds have brought a large force to support their occupation, the Jydoons are powerless to resist them. This flimsy plea cannot, of course, be entertained for a moment, for the tribe must have known well, that if it had been the intention of Government to allow the Syuds to reinstate themselves at Sittana, notice would have been given to the tribe direct. This movement has been so sudden that no previous information of it reached me, Mahomud Shifan, the Umb Minister, whom it especially concerns, and who generally keeps me well informed of what is going on among the Hindoostanees, having had no previous intimation of it. Mahomud Shifan believes that when they have settled themselves at Sittana, the Hindoostanees will turn their attention to Umb, and I consider that his apprehensions are well founded. The Hindoostanees have long had the attack and plunder of Umb in intention, and this may seem—as indeed it is—a favourable opportunity for carrying out the cherished project. I have written to General Chamberlain on this subject, offering for his consideration the advisability or otherwise of detaching a body of troops to the bank of the river, to be ready to move in support of Umb, if necessary. As regards the river bank in our own territory, a chain of police posts has been established from Kirplian to Dulmohut, but our limited means afford but scanty numbers. All the police horse we could scrape together, 12 or 15, are at Tuvee Chowkie, just opposite Sittana, and I have directed the jageerdars whose tenures are near the banks of the river to turn out their men and assist the police in their patrolling. The troop of guide-sowars at Abbottabad have been ordered to Hurripore. I imagine that this will be sufficient for present purposes, but I shall have the opportunity of consulting General Chamberlain in person to-morrow. I hope to reach Abbottabad this evening, and shall move on to Hurripore as soon as possible. I should mention that the Hindoostanees at Khubul are in rather close proximity to the Eusufzai frontier village of Bandah Keearah. I have requested Captain Jenkins to communicate this to Lieutenant Sandeman direct.

I have sent trustworthy emissaries to ascertain the real facts of this sudden expedition. On their return, I shall have the honour to report again. At present, the information of what has occurred, having been gathered from persons more or less influenced by partizanship, is not wholly reliable or satisfactory.

P.S. to LETTER, 199—528, dated 6 July 1863.

Abbottabad, 7 July 1863.

I ARRIVED here last night, and found your telegram. You will see by my previous letter that all has been done within our means to provide for the safety of the river-board.

I received

I received last night a report that four of the principal Mulliks of Khubul and Kyah, with their families, had come over to Torbela in the boat which had remained, and that Khubul itself had been surrendered without a show of resistance, and this establishes to my mind the collusion of the Khubul and Kyah Otmanzais with the Syud's party. In your telegram you propose to give the Khubul and Kyah people an asylum. This, I presume, was under the impression that they were under pressure in this matter; but if, as I strongly believe, they have been implicated in bringing in the Syud's party, they hardly deserve such consideration at our hands. I have sent for the four Mulliks, and hope to be able to elicit some important information. I propose, pending your instructions, to keep them at Abbottabad, entertaining them as guests, but with the understanding that they are to remain here until some definite conclusions are arrived at.

I have consulted with General Chamberlain, who considers that the measures taken up to this time are suitable. As regards Umb, he would support it by the Tunawul militia, not moving troops from here except in case of absolute necessity. I had before instructed Mahomed Shifan to strengthen Umb and its neighbour post of Kotlah. Part of the Tunawul militia are already employed, and I shall call on the rest to be in readiness to move. I have summoned Mahomed Shifan himself.

I propose proceeding to Hurripore on Thursday or Friday, and letters therefore should be addressed "Hurripore, Huzara," not Abbottabad, or there will be a day's delay. I further propose going to Umb quietly a few days hence, to see in person what preparations are being made to strengthen the defences and garrison.

COPY of a LETTER, No. 543½, dated 15 July 1863, from Secretary to Government, Punjab, to Commissioner and Superintendent, Peshawur Division.

IN reply to your letter, No. 127, of the 9th instant, with enclosures, I am directed to inform you that the Lieutenant-Governor concurs with you in the expediency of enforcing a blockade against the Jydoons and Otmanzais, and excluding them from our territory, after they have received due warning, and they refuse to act up to the terms of the engagements by which they bound themselves.

2. Should it be found necessary to impose the blockade, His Honour requests you will report how it is to be carried out, and in what respects the excluded tribes will suffer by the exclusion from our territory.

3. As regards Syud Mahmood Shah, the late Rissaldar, I am directed to state that the Syud was enlisted during the mutinies, and sent down with levies to Delhi and Lucknow. It was considered good policy to enlist him and some others at that time. On the reduction of the troops his party was disbanded. For political reasons the Lieutenant-Governor had him placed in the police, where he was kept on as a supernumerary. But on further police reductions being ordered, and the police officers declaring him to be quite useless, and their own inability under the pressure of reductions to retain a useless man, who was at the same time drawing high pay, His Honour was forced to authorise his being discharged. Efforts were, however, being made to get him into the frontier force, as it was considered he would make a fair cavalry officer, when he presented a petition, on the 14th of April last, asking for a grant of Sittana. On this application the following order was passed:—

"Sittana does not belong to the British Government, and they cannot give what does not belong to them." He got the usual copy of the order. On the following day, the 15th, he presented another petition, in which he acknowledged the receipt of the copy, and applied for permission to take possession of the village himself without the intervention of the British Government. Upon this the following order was recorded by His Honour:—

"Tell him that nothing of the kind will be listened to, and that any further offers will lose him all hopes of further employment." This order was verbally explained to him, and he at once left Lahore, and has not been seen again.

4. The report which Mahmood Shah gives out, that he has a perwannah from this Government to allow him to take up his residence at Sittana, is quite false.

(No. 118.—552).

FROM the Secretary to Government, Punjab, to the Secretary to Government of India, Foreign Department, with the Governor-General; dated Murree, 18 July 1863.

Sir,

IN continuation of the correspondence forwarded with my Docket No. $\frac{116}{144}$, of the 15th instant, I am directed to submit, for the perusal of His Excellency the Viceroy, the accompanying copy of two demi-official letters from General Sir

N. Chamberlain and Colonel Taylor, which were received last evening by express from Huzara; and with reference to these communications, to solicit instructions as to the course to be pursued in the event of Umb being attacked or threatened.

2. It will have been seen, from the correspondence already forwarded, that the Lieutenant-Governor has authorised Colonel Taylor to impose a blockade against the Jydoons and Otmanzais, if they refuse to act up to the terms of their engagements. It may be that this will suffice, and that they will act; but as they did not do so in the first instance, when it would have been comparatively easy, His Honour does not consider it likely that they will do so now, when the Hindostanees have located themselves and, it is said, entrenched themselves in or near Sittana.

3. When a question was put to Lord Dalhousie's Government, in 1851, as to the extent of assistance the Umb Chief might look for, in the event of his territories being invaded, the reply conveyed in Sir Henry Elliot's Letter, No. 3339, dated 30th October 1851, was as follows: "His Lordship is content to regard him as a nominal tributary and subject of the British Government, not interfering in the internal affairs of his Jagheer, expecting him to defend himself in all ordinary attacks, while the Government would defend him against formidable invasion; but he cannot be permitted to engage in any proceedings which shall, directly or indirectly, tend to the injury of British subjects." Now, so far as we know at present, the expected inroad of the Hindostanees has not been in consequence of any step taken by the Umb authorities. The Bhetgullee affair has passed, and it is understood that the place was some time ago relinquished by the Umb people.

4. In the 12 years that have elapsed since Sir Henry Elliot's letter (above quoted) was written, our connection with Umb has been drawn closer, and has been more strengthened. The late Chief was commended and rewarded for service done in 1857, and his son, a minor, is in a manner under the supervision of the Deputy Commissioner of Huzara. We selected a tutor for him, and he attends at the Durbars held from time to time. The Umb Chief then has become, in truth, our tributary. An attack on Umb would be looked on by all the tribes as an attack on us. It would be considered an insult to our Government, and our prestige would suffer if we permitted the territory of our tributary to be occupied.

5. The Lieutenant-Governor quite agrees with Sir Neville Chamberlain that it is not desirable to move our troops at present. The season is against it, and the force in Huzara is too small to cross the river; nor does His Honour believe it to be necessary. He thinks it will suffice to authorise Colonel Taylor, in case of need, to call on the chiefs on the border, who hold their lands partly on condition of service, to support Umb and aid the Chief. The fact of Colonel Taylor having power to do this will give heart to the Umb people, who apparently have not much at present; and the knowledge of it will have the effect, perhaps, of deterring the Hindostanees from attacking Umb.

6. The fort of Umb, well defended, is not likely to fall into the hands of the Hindostanees.

7. It will be necessary to supplement the levies with a small sum for feeding their men, but His Honour would give them no pay.

8. Lieutenant Blair, executive engineer, Huzara, informs His Honour that the road made last year under the orders of this Government to the banks of the Indus, opposite Umb, is in good repair; but he has been ordered to examine and, if need be, to repair it. This and the collecting of boats at the ferry will, it is hoped, have their effect on the Hindostanees, by showing them that, though quiescent, we are prepared.

9. A copy of this letter will be sent to Colonel Taylor, that he may be informed of the Lieutenant-Governor's views on this matter; but unless under the most pressing circumstances, which he must justify, he is not to act on them till orders shall be received from the Supreme Government, and these orders I am to request may be forwarded by telegraph.

10. I am to add that Colonel Taylor has left Peshawur and is at Hurripoor with Major Coxe, the Deputy Commissioner of Huzara. Hurripoor is about 12 miles

12 miles from Torbela on the Indus, on the opposite side of which is Kubbul; in which place, or within a few miles of it, the Hindostanees are located.

11. General Sir N. Chamberlain is at Abbottabad; opposite and within 25 miles of Umb; Hurripoor is 20 miles from Abbottabad.

I have, &c.
(signed) *T. D. Forsyth,*
Officiating Secretary to Government, Punjab.

Abbottabad, 16 July 1863.

My dear Sir Robert,

Colonel Taylor's letter will explain to you why it reaches you through me; and, as requested by him, I beg to express my opinion as to the necessity for not allowing Umb to fall into the hands of the Syuds and fanatics, and the best means to be now pursued by us to prevent its occupation.

The first subject hardly calls for remark, the evil that would result from such an occupation being too manifest to admit of question. It would unsettle the whole district, and its reoccupation would be indispensable, both for our prestige and for the preservation of life and property along the left bank of the river.

As regards its protection until such time as the intentions of Government become known, and the season comes round for military operations, it is my impression that the troops should not be called out so long as it is possible to maintain our interests without employing them, for to parade them and not to use them, is to weaken their moral influence (to say nothing of the sickness pretty sure to follow amongst officers and men); and really we are so weak, that until men are called from elsewhere the numbers we could show would be more likely to provoke resistance than instil fear.

From what I have heard of Umb (for I have never been there, it being across the Indus, and out of our border), I believe that its natural strength is considerable, and that the militia of the district, if loyal, would be fully equal to its defence, even though seriously menaced by the neighbouring tribes, in addition to the Hindostanees. I should feel inclined to leave the Minister to name the Khans he has most confidence in, and these, as suggested by Colonel Taylor, would be directed to go there themselves with as many followers as may be considered necessary. Treachery is what has most to be feared, for there are two parties, each with different interests and objects, and to one the occupation by the Syuds would not be at heart distasteful.

As regards the payment of the militia, I would beg to remark that I was always under the impression that the Khans held their lands on tenure of affording military assistance when called upon to do so, and that the extremely light assessment was avowedly grounded upon this obligation; and also that this was mentioned in the grants conferring Jagheers and grants of land. If I am right, I should on principle call for the services of those we needed as a right, merely feeding the followers and providing the ammunition, leaving the future rewards for future consideration, according as the service was well or ill performed.

In conclusion, I would remark that Colonel Taylor's suggestion as to the collection of boats and the command of the ferry opposite to Umb strikes me as of the first importance; for without such command it might be impracticable to support Umb if the necessity occurred, and the bare exhibition of the ability to do so would prove to the people that we were not indifferent or supine, and possibly operate as a check upon the tribes not yet implicated.

I will send Colonel Taylor a copy of this note.

Yours truly, &c.
(signed) *Neville Chamberlain.*

To the Honourable Sir Robert Montgomery, K. C. B.

P.S.—The relief of the Murree detachment would seem a precautionary measure should it be necessary to employ the troops, for this station could not at present afford more than 500 sepoys to take the field. I have already officially suggested the measure.

(signed) *N. C.*

Hurripoor, 15 July 1863.

My dear Sir Robert,

I suppose you feel, as we do here on the spot, that the loss of Umb would be a great evil. I have reported that Coxe has done all that could be done in working up the Chief and his Minister to make the best use of the resources at their command, but still it remains an anxiety. The Hindostanees are quiet at present (though we have a report which we do not yet credit, of their having, in company with Sohbut, occupied Bhetgullee, the old bone of contention); but it appears to me a very improbable thing that they will remain quiet, waiting tamely till it is convenient for us to move against them.

There are probabilities against their molesting Umb, in the fact that Mobaruck Shah, the

Chief Syud, under whom they work, having been a connection of Jehandad Khan, which it is said disinclines him to act against Umb; but this is a rotten reed to lean on. Jehandad Khan ejected the Hindostanees from portions of Umb, and they would not be slow to avenge it if they could. There are two ways of making Umb stronger and safer than at present. One is by moving down a body of troops to our bank of the river, which would afford it a moral protection, and (if well provided with boats, and the permission be given to cross in case of threatening) a material protection. But there are some points I do not like in this:

If there were no orders to cross, Umb might be sacked before the eyes of the detachment. If the orders were to cross, it would be great amusement for the Hindostanees to create such reports of their intentions as to bring the British force across merely for the trouble of going back again.

The season is unfavourable, and fever would probably prevail.

We have not many cards, or a superabundant number, left in the pack. This would necessitate our showing a portion of our hand before the time; but I allow this last is not a very valid reason—more a fancy.

The other plan I would propose, and it is the one I prefer, is to furnish the Chief, say, with a body of 300 yeomen from this side, under some of the trusty Khans that are here (Meer Zuman and others) friendly to Tunawul—to be paid by us, and lent during the remaining months of the hot weather to the Chief and Minister, to strengthen their hands effectually against their now immediate and ill-disposed neighbours. We might then, without anxiety, rest on our oars till we work up the tribes to do our bidding, or, failing that, enforce it by arms; which may certainly become necessary, and which, humanly speaking, is likely to be comparatively easy, while the result would be a great blessing to the country for years to come.

I believe the General is opposed to moving down a portion of the troops at present. Will you then sanction the measure I propose?

Umb is as important to us here, in a small way, as the protection of Canada is to England with an American war threatening. And one strong argument for strengthening it against sudden aggression is that its loss, and the natural consequences that would ensue in the alliance of the Hindostanees with the more powerful tribes above the Umb territories, might force us at any time to take the field in strength before we had intended, and before it was convenient.

I send this through General Chamberlain, who will add any remarks that may occur to him on perusal. I have not previously communicated with him on the subject, but Coxe has gathered from his opinions that he is averse to moving out the troops at present if it can be avoided.

There is one point that is weighing with me that may not be known either to the General or yourself, and that is, that it is Coxe's opinion, from conversations and inquiries, that not much is to be hoped from the Oolus or population of Umb. They would not join or favour the enemy, but they would not, it is believed, play the men to any desperate extent for their Chief and country. A nucleus of good yeomen from this side, headed by men who could give us good practical opinions of their strength and power to hold the country, would be a satisfaction, and might in a great sense aid the Government service.

Set the pay of this militia for a few months against the expense of recovering Umb and dealing with the Amazais and Hussunzais, in addition to what we have on our hands.

Yours very sincerely, &c.
(signed) *R. G. Taylor.*

The Honourable Sir Robert Montgomery, K.C.B.

SERVICE MESSAGE, 5 August 1863.

From Simla—from Secretary Foreign Department—to Murree.

To Sir Robert Montgomery.

THE Governor General approves of the measures which have been taken, as reported in Mr. Forsyth's letters, dated 15th and 18th July, regarding the Sittana fanatics. Before giving further orders, the Governor General is desirous to know what effect, if any, has been produced by these measures, and whether any new incidents or proceedings on the part of the Sittana fanatics have occurred.

(signed) *H. M. Durand,*
Secretary to the Government of India,
with the Governor General.

Foreign Department, Political—No. 121½—570 B.

From the Secretary to Government Punjab, to Secretary to Government of India, Foreign Department, with the Governor General; dated 27 July 1863.

Sir,

In continuation of previous correspondence, forwards copy of correspondence with the Commissioner of Peshawur, regarding arrangements for defending Umb against the apprehended attack of the Hindostanees of Sittana.

By Order, &c.
(signed) *T. D. Forsyth.*

Copy of a Letter, No. 570 A, dated 27 July 1863, from the Secretary to the Government of the Punjab to the Commissioner and Superintendent Peshawur Division.

I am directed to reply as follows to your letter of the 24th instant:—

2. The Lieutenant Governor concurs with you that the tone of Mahmood Shah's letter is improper, and his Honour doubts whether it should be replied to. The Hindoostanees should not be made the medium of communication with the tribes; but, on the contrary, the tribe Jirgahs should be dealt with directly. Still, if you should consider a reply necessary, one may be sent; but much to the effect noted by his Honour.

3. It is observed that a blockade could not be carried out without inviting almost an attack on Umb. It was necessary, therefore, to support the Chief of that territory in the manner you have done, and the Lieutenant Governor approves of the arrangements.

4. A copy of this correspondence will be forwarded to the Supreme Government.

Copy of a Letter, No. , dated 24 July 1863, from the Commissioner and Superintendent Peshawur Division, to the Secretary to the Government of the Punjab.

I beg to enclose a translation of a letter received by Major Coxe, Deputy Commissioner of Huzara, from Muhmood Shah, late Rissaldar in the Lahore Police, at present in Sitana.

2. I imagine that his Honour will agree with me, that the tone of this communication is totally wanting in deference to the British Government. If the merchants of the colony are molested in passing to and fro, we are warned to look out; and the writer represents that he alone, by entreaties, saved the Umb territory from attack, and leaves it to be inferred, that if the requests he makes are not complied with, he must let matters take their course. Notwithstanding the fact, that from other information we do not believe the Jirgah, which certainly took place between the tribes named and the Syuds and Hindostanees, went off as swimmingly as it is represented to have done by the writer, still the animus displayed in the whole communication is so plainly reckless and independent, if not hostile, while the course that their enmity would take in the first instance, in an attack on Umb, is so plainly and undesignedly indicated, that I have been constrained to act in anticipation of the orders of the Supreme Government, which in your Letter (pencil) No. 36, of 18th July, I was directed to wait for, by calling out the quotas of horse and foot which certain Jageerdars and Raeeses of Huzara are bound to furnish.

Major Coxe had previously, at my request, consulted the Umb Minister, as to whether this mode of support would be agreeable to him and be of use, and he replied that it would be a great support to him, and recommended its being located on this side of the river, opposite Umb, and this, it is proposed, should be done.

The Umb boats will be also placed under charge of this body; while employed, the horse will receive a subsistence allowance of eight rupees per mensem, and the foot, of four rupees; we shall also have to provide them with ammunition and cover.

With Umb thus in danger, I could not wait; but one of the chief causes of my moving is, that it must take four or five days to organise and fit out this body of 50 horse and 350 foot, and the orders of the Supreme Government are sure to be received before the force is ready.

I trust that His Honor will sanction and support my arrangements. One thing must be borne in mind, and that is, that we could not blockade the Jydoons and Otmanzais without also strengthening Umb: this would be courting a disaster in that quarter, and His Honor is aware that it is not likely to be expedient to employ our own troops on the river bank until the sickly season has passed.

The yeomanry levy, therefore, will form an important portion of the blockading chain, as will be shown in my letter recommending the establishment of the blockade.

From Syud Muhmood Shah Sitanahwalah.

THE state of affairs is this: two days since, the Jirgahs of the Muddah Khail, Amazai, and Hussunzai tribes, consisting of about 80 men, came to Mobaruk Shah and Moulvee Abdoollah, and with one consent professed their allegiance and submission; and that they would follow whithersoever Mobaruk Shah and Abdoollah should lead, whether to attack Umb or to cross the water (into Government territory). Mobaruk Shah replied, that he had not come down with any intention of aggression upon either Umb or the Sirkars territory, nor had he interfered with their traders or traffic in any way, but the Government and the Umb Chief had established posts to seize their (the Syuds) traders, and to levy fines from them, and had stopped their road altogether, which could not be patiently endured ("Subur Nah Kur Sukte"); better that they (the Syud's party) with the assistance of the tribes named, should commence work at once, and destroy all the posts. On hearing this, I (Muhmood Shah) expostulated with Mobaruk Shah and Moulvee Abdoolah to the effect that, when I consented to accompany them, they had assured me that they were only arming to obtain possession of their own country, and to occupy Kubul and Kyah, and that they would not permit any of their party to cross the river in thieving expeditions, and they were now acting directly contrary to their professions. I said I would have no more to do with them, and should return home. The Moulvee and Mobaruk Shah then said that such had been their intention as professed to me; but, as the Umb Chief and the Government officials stopped all their trade and intercourse, what else was then left for them to do? I replied, "wait a few days, for my sake," which they agreed to do. I now send this petition. If the Umb Chief and the Government officials are levying these fines and oppressing the people by the Huzoor's orders, the Huzoor is wise. Otherwise let them be prohibited from so doing, or from thus troubling ("hurkut"); the Sirkars' enemies will take the opportunity of raising strife from whence annoyance and loss to the Government is to be anticipated. I consider that the above arrangement will be best effected speedily and at once, because the Jirgahs of the tribes have postponed taking any steps for a few days (only) at my request. The Kyah and Kubul tribes are of one mind with Mobaruk Shah and Moulvee Abdoollah, but they fear me in consequence of their having killed my father (Syud Omur). I only accompanied Mobaruk Shah and Moulvee Abdoollah to recover my ancestral property to arrange for Government interests. One of the Mullicks of the Jydoons from Gundif, named Jemadar, with several reputable men of the tribe, sent by the Jydoon Jirgah, had come hither, and told Mobaruk Shah that the Jirgah only went to the Sirkar to make remonstrances, that they were truly of one mind with him (Mobaruk Shah), and that they would never allow the Government a passage through their country, he might rest well assured, and that all were associated with him as Mussulmans of the same faith.

I have previously sent two petitions; I trust I may now be favoured with an answer to them and this also.

(signed and sealed) *Syud Muhmood Shah Sitanahwalah.*

Political—No. 124—588.

From the Secretary to Government Punjab to the Secretary to Government of India, Foreign Department, with the Governor General, dated Murree, 1 August 1863.

Sir

IN continuation of No. 113 of the 18th ultimo, I am directed to forward, for the information of His Excellency the Viceroy, further correspondence with the Commissioner of Peshawur, showing the steps taken by him towards enforcing a blockade against the Jydoons, and protecting the Eusufzai border from depredations.

2. General Sir Neville Chamberlain is just now at Murree, and will remain here for the present. He considers that our troops should, as much as possible, be kept in cantonments during this season, as they will be more fit for service should they at any time be required.

3. The party of troops belonging to the Abbottabad force, stationed at Murree, will be relieved and return to Abbottabad.

I have, &c.

(signed) *T. D. Forsyth.*

Copy of a Letter No. , dated 29 July 1863, from the Commissioner and Superintendent Peshawur Division to the Secretary to Government, Punjab.

With reference to your letter No. 25, of the 15th July, 1863, and previous correspondence on the subject of the return of the Hindoostanee colony to Sittanah, I beg to forward copy of a Letter,* No. 335, from Major Coxe, Deputy Commissioner of Huzara, dated July 11th, giving a clear and succinct account of the present position of affairs as it bears upon previous transactions and agreements with the tribes in those parts, and to this history I have nothing to add.

* See page 20.

I have now to report that the two sections of the Jydoon tribe having been duly summoned with the object of enabling me to explain to them in person the requirements of Government with reference to the Hindoostanee colony, one section, that of the Munsoor, whose positions are chiefly high up, near the localities occupied by the Syuds and Hindostanees, have failed to present themselves. The chief men of the other section, called "Salar," always the best disposed, are on their way in, and to them I will clearly and fully explain the necessity Government is under of imposing blockade on the tribe.

I beg to forward a copy of my letter No. 132, of the 24th instant, to the address of the Brigadier-General Commanding the Punjab Irregular Force, in which are fully detailed my views of the measures necessary for enforcing the blockade.

My letter to Lieutenant-Colonel Wilde, No. — of the 28th instant, will show that in order to protect the Eusofzai border from an injury which I thought very likely to be inflicted, while negotiations—the success of which would be unfavourable to the Hindoostanees—were going on between our side and the Jydoons, with the object of committing them, I have been obliged to request Colonel Wilde at once to carry out the chief movement, namely, the location of a strong detachment at Topee.

I apply to-day to Major Keyes for the detachment intended for Torbelah, and the militia body will proceed to the neighbourhood of Durbund. Kirpleau and Towie will be occupied by police in as great strength as Major Coxe can arrange for. The investment will then be complete, and we may feel confident that the blockade will be effectual, and that its effects will be, ere long, severely felt.

I propose to report in a few days (after receiving details from the Assistant-Commissioner in Eusofzai) on the lands possessed in the Eusofzai Pergunnah by the Jydoon tribe, with a view to their attachment during blockade.

I trust that the arrangements proposed and carried out will meet with the approval of His Honour the Lieutenant-Governor.

Copy of a Letter No. 132 of 24th July 1863, from the Commissioner and Superintendent Peshawur Division to Brigadier-General Sir *Neville Chamberlain*, K. C. B.

I beg to inform you that, in accordance with permission granted by His Honor the Lieutenant-Governor for the renewal of the blockade of the Jydoon tribe until such time as they shall give due and sufficient satisfaction to Government for their breach of faith in allowing the Syuds of Mulkah and the Hindostanee fanatics to return to their old position at Sittana, I have summoned the whole of the Jydoon and Otmanzai Jirgahs to this place, and propose, on arrival, to call upon them to force back the Syuds and Hindoostanees at once from Sittana to their recent quarters of Mulkah. Failing this (and I have little expectation that they will at once comply with the wishes of the Government), it will be necessary immediately to put them under blockade.

2. You are aware that this was done in 1861, on account of the slackness of the tribe in not acting up fully to their agreements, they having suffered Mobaruk Shah, the Chief Syud, to re-occupy a portion of the ridge above Sittana by locating a picket at Sirree, from whence parties of kidnappers penetrated into parts of Huzara, reviving the evils which had existed when Sittana was a flourishing colony.

3. The blockade of 1861 was brought to a successful issue; the Jydoons destroyed the Sirree post, and paid the fine imposed upon them.

4. But again, in 1862, the Mulkah brigands resumed their trade of kidnapping merchants for ransom, murdering them, however, when it was inconvenient to carry them across the river; a style of crime which, I find, on looking back through the correspondence regarding the Indus border, has been normal in this district since we first took possession of it, and it is grievous to think how many inoffensive men, depending on Government for protection, must have suffered by it.

5. Throughout the history it is clear that the Sittana colony has, from the first, been the hot-bed which has reared and cherished this brood of scorpions; and the names of the officers who have endeavoured to deal with the difficulty in a defensive way, without apparently any signal success, are sufficient to show that mere police arrangements, unless they should be on a scale which might people the whole tract between the Huzara,

Abbottabad, and Puklee valleys with police, and armed village communities ready to rise at a given signal like a swarm of bees, and search, in loyal good faith, for the offenders (and this, as you know, is not as to numbers, the fashion of the day in police matters) are wholly inadequate to meet the difficulty. "Search the country" is easily said; but, in practice it is scarcely feasible to search a single jungly mountain of these ranges. What can be said, then, of an extensive tract of mountains?

6. The expedition against Sittana, in 1858, had the due and natural effect of putting down this and other crime and difficulty on the Indus border for a considerable time. The Sittana nest was effectually harried, and the Hindoostanees and their patrons driven back into the hills to Mulkah.

7. In 1861, as I have above described, the effect of the expedition had begun to wear off; the Syuds advanced to Sirree, and the kidnapping of British subjects was in some instances resumed. The Jydoons were blockaded, and some reparation obtained, but in the spring of 1862 fresh instances occurred, the Huzara roads were scarcely safe, and had to be patrolled. A report was called for by Government, when the Deputy Commissioner, Major Adams, submitted the full and lucid account of the position of affairs contained in his letter (No. 469½, of the 28th of July 1862), which you must have seen at the time, but which I send in original for your perusal, as you may not have a copy by you.

8. On this report of Major Adams, a punitive expedition was recommended by the Local Government, but was eventually postponed.

9. I have been of opinion that, in some way, the Mulkah leaders were aware that it had been the intention to go in and punish them, as their thieving and kidnapping parties remained inactive during the winter of 1862, and spring of the present year. Lately, however, there have been two instances of murders on the Huzara main roads, which are believed to have been undoubtedly the work of the Syud's brigands.

10. But the most remarkable event is the one I have alluded to in my first paragraph, namely, the fact of a large portion of the Mulkah colony, under their chief leaders, having very suddenly, and without any warning given by spies or those usually acquainted with their counsels, marched from their lodgment at Mulkah, descending again to their old position at Sittana.

11. We have no agreements with the Syuds or the Hindoostanee fanatics; but, as you will see by Major Adams's letter, and as is well known to you, we have such with the Jydoon tribe and the Otmanzais of Kyah and Kubbul, and they are to this effect—that they undertook on no account to allow the old Sittana party to re-locate themselves at that place.

12. The object of the present blockade, therefore, which I immediately recommended, on hearing of the descent of the colony to its old place is, if possible, to force the above two tribes, if it may be, to fulfil their engagements by insisting on the return of the colony to Mulkah. It is possible that it may be deemed advisable to demand a further penalty for the breach of agreement in allowing them to return, but this would depend on the alacrity and energy they might display in obeying the Government injunction or the want of it.

13. I forward a copy of the Government letter sanctioning the blockade, and I have now to request your assistance in carrying it out.

14. The Jydoon and Otmanzai border extends from a little above Babinai in Eusofzai (for Babinai, *see* a little above Mainee, the position occupied by a detachment of the Guide Corps in the last blockade) to a place called Lalloogullee on the Cis Indus river board of the Umb territory. (For Lalloogullee *see* about three miles below the Kirplean Thana). This spot is just opposite the Khurree Cliff, the bluff of a low range of mountains termi nated by the river which forms the boundary between the Otmanzai soil now under Sittana and the Trans Indus Umb territory.

15. The arrangements I have to propose for securely watching this line are the following:—

16. At, or a short way above, Kirplean will be located a strong body of Militia levies, furnished by the Jageerdars and Chief Yeomen of Huzara, who are friendly to the Umb Chief. This body of men is intended to give moral, and, if necessary, material support to the Umb Chief. This body will also have charge of the Umb boats, which will be kept on this side of the river.

17. The police outpost at Towie, halfway between Kirplean and Torbela, will be strengthened to the utmost of our ability.

18. At Torbela I have to recommend that a company of infantry of the Punjab Irregular Force be located in the Thana, which will be given up to them. Also, that a troop of Guide Cavalry, at present at this place, be posted there. This arrangement has been suggested to me by Major Coxe, the Deputy Commissioner, and I fully concur in its expediency.

19. In Eusofzai I earnestly recommend that a strong detachment of both arms (I give my own views without wishing to lay down numbers and strength), of not less than two companies

companies of infantry (I should prefer three, as companies now-a-days are so weak), and a troop of cavalry be stationed at Topee, which, as you will perceive, is opposite the natural egress from the Kyah, Kubbul, and Sittana strip, which lies between the spurs of the Mahabun Mountain and the Indus.

20. If any point is attacked in strength, it will be either Umb or this Topee detachment, and the strength will be the Hindoostanee fanatics in the van and a mass of irritated, blockaded Jydoons and Otmanzais forming the main army. I am, therefore, of opinion (I speak with all deference in a military point) that this detachment should be wholly or partially entrenched. They would thus be able to defy any amount of numbers that might come against them, while with smaller attacks they would deal readily in the open.

21. By "partially entrenched," my meaning is, that in place of the whole body being thus protected, a strong *place d'armes* for magazine, &c., and capable of holding half a company of infantry, should be formed in part of the position, which would give solidity and strength to the latter in case of an attack by overwhelming numbers; but I give this opinion, as I say, with great diffidence.

22. With regard to the spirit and intentions of the Syuds and their adherents, I beg to forward, through you, a letter I have addressed to his Honour the Lieutenant Governor, with its enclosure, from which latter you will, I think, easily perceive that nothing is to be hoped from any forbearance or supposed want of inclination for mischief on the part of the colony. It behoves us, therefore, to make such arrangements as shall fully protect our own subjects and adherents when the necessity arrives to put a pressure upon the large Jydoon tribe, which will be most severely felt by them, and in time by their sympathisers, the Hindoostanees.

23. I trust that the arrangements I have proposed, or others of similar character accomplishing the same objects, will accord with your judgment, and that, if so, you will be kind enough early to strengthen my hands by informing me that you are ready to carry them out when the time comes.

Copy of a Letter (No.), dated 28th July 1863, from the Commissioner and Superintendent of Peshawur Division to Lieutenant Colonel *A. Wilde*, C. B., Commanding at Murdan.

I have the honour to inform you, that for the last three days there have been reports of a probability of the Hindoostanees who are now at Sittana making an attack on Topi.

You are probably aware that the present state of affairs is this:—The Hindoostanee colony lately, at Mulka, with its patrons, the Syuds, have moved down, either in whole or in part, to Sittana.

This being in contravention of agreements entered into by the Jydoon and Otmanzai tribes, the latter have been summoned to receive the injunction of Government, to the effect that they must either act up to their agreements by forcing the Hindoostanees to retire, or suffer blockade.

From all that I hear, I do not think it likely that all the sections of the Jydoon tribe will come in to receive this order. They were given till to-morrow the 29th, and they were fully warned, and at the same time encouraged—Mulluks of their own class, residents of this district, being charged with the message to them. These men are much concerned for the misfortune impending over the tribe, and very anxious to prevent their quarrelling with Government.

It appears that the Lower Jydoons would gladly come in and do what they could to meet the views of Government; but the Munsoor-Jydoons, who live higher up, and nearer the positions occupied by the Hindoostanees, possibly do not fear the blockade so much, and they are indifferent about coming.

The result of their not making their appearance, or coming, and not obeying the order given them, will be that the blockade must be immediately imposed. I have lately addressed the Brigadier-General Commanding the Punjab Irregular Force, regarding the measures and dispositions which, from a gathered knowledge of the country will, I conceive, be necessary to enforce a strict blockade on the Jydoon and Otmanzai tribes, whose border extends from a little above Babinai, on the Eusufzai border, to a spur of hill opposite Lulloogullee, which latter is in our (or the left bank) of the Indus, a little below the Thanah of Kirplean.

The arrangements I have proposed are briefly, 1st a considerable body of Mulkiyah levies at or near Kirplean; 2d, a strong police post at Towie between Kirplean and Torbelah; 3d, a company of Punjab Infantry in the Thanah at Torbelah, and the troop of the Guide Cavalry at present stationed here at the same place; 4th, a detachment of three companies of infantry and a troop of cavalry of the Guide Corps at Topee.

Topee, you will be well aware, is immediately opposite the natural egress from the Sittana and Kubbul strip of country on the plains of Eusufzai, it is therefore peculiarly exposed to attack.

Lieutenant Sandeman, Assistant-Commissioner, who left this morning, rode through Topee on his way back to Swabee Thanah.

I append an extract of his letter showing the result of his observations in passing through.

Now, at the present moment, it is so likely that the Hindoostanees would gladly do something which should fully commit the Jydoons on their side, that I think it very expedient that no time should be lost in securing Topee from attack.

I am, therefore, induced (trusting that I carry your judgment with me in the matter) to make a requisition that you will at once occupy Topee with the detachment I have proposed for it, in anticipation of the adoption of that measure by the Brigadier-General commanding the Punjab Irregular Force.

In making this request, I feel confident that I am only forestalling by a few days, a movement that is wholly inevitable, as during the coming blockade, either at or near Topee, a strong detachment of the character I have mentioned, must assuredly be placed, though it is possible that the Brigadier-General may prefer some other spot.

To account for the strength of the detachment proposed, I would remark that the Hindoostanees are variously stated at from 700 to 1200 or 1500, and if they moved they would, no doubt, be assisted by the Jydoons.

In my letter to the Brigadier-General commanding, I recommended that this detachment should be entrenched, and I am induced decidedly to recommend the measure.

I may mention that, on leaving for Murree, Brigadier-General Chamberlain directed Major Keyes to comply with any requisition for troops I might find it necessary to make.

Lieutenant Sandeman will, of course, make all necessary arrangements for supplies.

Extract from a Letter, dated 27th July 1863, from Lieutenant *R. Sandeman*, Assistant-Commissioner, to Commissioner and Superintendent Peshawur Division.

As far as I can hear, Munsoor Tuppah part of the Jirgahs have no intention of coming in, and I hear had sent a flat refusal to the Gundup people, who it is said wish to treat.

At Topee I was told that the Hindoostanees at Kubbul have been re-inforced, and all the Topee people seemed very anxious, and were building up the entrance to their village and making every preparation as if they expected to be attacked. I rode through the village on purpose to judge for myself; outside the village the harvest is all stacked, and a very few men could do a great deal of damage. I told Fuzl Khan's son to be very active and keep a good look-out, though I fancy this was unnecessary. I am rather anxious about the stacks, &c., outside, for a very few men at night could do a great deal of damage.

Do you not think, Colonel, a troop of the Guide Cavalry should be sent there at once? Prevention is better than cure, and their coming might save the grain stacked outside.

Copy of a Letter, No. 587, dated 1 August 1863, from the Officiating Secretary to Government Punjab, to the Commissioner and Superintendent Peshawur Division.

I am directed to acknowledge the receipt of your letter, No. of the 29th ultimo, with enclosures, and to inform you that the Lieutenant-Governor approves of all the steps taken by you towards enforcing the blockade against the Jydoons, and protecting the Eusufzai border from depredations.

2. A strict watch should be maintained at the ferries on the Indus, with a view to prevent sympathisers from Hindoostan with funds reaching the Syuds; and the heads of all villages within our border should be required to co-operate in giving information and aiding the Government in every way. Lands in our territory belonging to members of the offending tribes should be at once attached, and every pressure brought to bear on them for disregarding the agreements entered into by them with the British Government.

3. You are requested to keep the Government constantly informed of all matters connected with this affair. The postal arrangements between Huzara and Murree have been improved, so that letters will now reach this place on the second, instead of, as heretofore, on the third day.

4. General Chamberlain is now at Murree, and will remain here for the present.

Copy of a Letter, No. $\frac{206}{548}$, dated 11 July 1863, from the Deputy Commissioner Huzara, to the Commissioner and Superintendent Peshawur Division.

With reference to my previous letters* on the subject of the re-occupation of Sittana by the Syuds and their Hindoostanee followers, it may be considered advisable, perhaps, that I should briefly recapitulate the facts connected with their former location there, the manner of their ejection, and the circumstances under which they have now attempted to re-establish their colony.

2. In Colonel Edwardes' despatch, No. B., dated 14th May 1858, reporting the result of the expedition under Sir Sydney Cotton in 1858, the two first points are clearly detailed. The

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* No. 195, dated 3d, and 199 dated 6th July 1863.

The importance of removing from the immediate proximity of our border a body of men banded together with an avowedly hostile bearing to our Government, forming as they did a nest of intrigue, and whose position afforded them every facility for plotting with the border tribes, and sowing disaffection among our own subjects, necessitated the adoption of strong measures to break up the party, and expel them to a distance where at least their opportunities for intriguing against us would be materially diminished, if not entirely removed.

3. In the course of the operations against the Hindoostanees in 1858, our troops were brought into the neighbourhood of some of the Jydoon villages, and it was in debate for some time whether these should be destroyed as a punishment on the tribe for the countenance afforded by them to the Hindoostanees.

4. The policy finally determined on was to spare the villages, and summon the Jirgah, or Council of the tribe, with a view of providing, through them, against any future re-location of the Hindoostanees in the vicinity of our border. The Jirgah attended on the summons, and entered into agreement to prevent the Hindoostanees from establishing themselves again at Sittana or any of the villages in the neighbourhood. These agreements are dated 9th May 1858, and will be found in your office. Their purport is to the following effect:—The Otmanzais of Kubbul and Kyah, the Jydoons, Upper and Lower, and Akhoond Kheyl of Chunnee pledge themselves not to permit the Syuds or Hindoostanees, or any other offenders against the Government, to return to Sittana, or any of the villages within their bounds; any of the contracting parties failing in this to bear the blame, and to be treated as an enemy by the other parties to the agreement. The Hindoostanees, after their expulsion from Sittana, took up their abode at Mulka, on the further side of the Mababun Mountain, and for some time there was no reason to complain of the manner in which the Jydoons, and the other tribes who were parties to the engagements, viz., the Otmanzais of Kubbul, and Kyah, and the Akhoond Kheyl of Chunnee, observed the terms of their contract.

5. It is true that the bravos and assassins, chiefly refugees from this district, in the employ of Syud Mobaruk Shah, still continued to ply their trade of theft and murder on this side the river, coming and returning through the Otmanzai and Jydoon limits; but this was not considered a sufficient cause to visit upon the tribes the consequences of an infringed compact, until the beginning of 1861, when Major Adams, in consequence of the Syud's having come within the proscribed limits, and his taking advantage of the proximity to our border line, to despatch his ruffians more frequently on their predatory errands in Government territory, considered it his duty to bring the matter strongly to the notice of Government, and to recommend that the Jydoons should be pressed for the infringment of their agreement. This was assented to by Government, and the tribe were consequently placed under blockade. In September 1861, the Otmanzais and the Salar portion of the Jydoon tribe again entered into pledges to prevent any of the Syuds party from occupying the prohibited localities.

6. There are two large divisions of the Jydoon tribe, the Salar and the Munsoor; the Council of the latter portion of the tribe did not attend within the time allotted, and their signature was not affixed to the engagement; but a separate agreement was subsequently executed by them. Copies of these agreements were forwarded to you by this Office, Letter No. 455, dated 2d October, 1861.

7. In the agreements, the tribes bound themselves, as before, to prevent the Syuds from re-establishing themselves at Sittana, and, in the event of any attempt being made by the Syuds, the contracting parties would unite to prevent, or expel them. After the above brief *resumé* of the previous transactions with the tribes in connection with the Syuds and their followers, I proceed to state the circumstances bearing upon the present aggression of the Hindoostanees under the Syuds leading.

8. I should mention that part of the arrangement concluded by Colonel Edwardes in 1858 was to recommend for employment in our service a certain number of the Syud's relations and dependents. In pursuance of this project, Syud Muhmood Shah, cousin of Mabaruk Shah, was appointed Rissaldar, joined Musgrave's Horse, and was afterwards posted to the Lahore Police. Some of his retainers accompanied him as Sowars. Muhmood Shah took his discharge, or came under reduction, in February or March of this year, and returned to Mulkah. In April he addressed a petition to me, stating that he had been given to understand that he was to be allowed to re-occupy his former habitation at Sittana. To this I gave a distinct and decided negative.

9. I mention this circumstance because my reporters from the other side of the river have stated that this supposed permission of Government was put about by the Syuds as a support of their present movement, and it is pleaded, also, in a petition of the Salar division of the Jydoons as a reason for their not interfering. I have stated in my Letter No. 199, dated 6th current, that this plea of the Jydoons is quite inadmissable, as they must have known, and did know well, that no such permission would have been accorded without a distinct intimation of the orders of the Government to the Jydoons themselves.

10. An attempt on the part of the Syuds to re-establish themselves at Sittana has always been expected by our officers. Colonel Becher, formerly Deputy Commissioner of Huzara, writing to Major Adams in 1859, says that the party will always be intriguing to

regain their footing there, and Major Adams himself appears to have contemplated the attempt as possible at any time.

11. Their reasons for preferring Sittana to Mulkah are obvious. They would be nearer their reinforcements both in men and money which reach Sittana through Eusufzai, Chuch, and Huzara; their closer proximity to our border would afford them greater facilities for carrying on their depredations, and for intriguing with the Pathan tribes, and the disaffected parties on our own side of the water; and, as I understand from border reports, their personal comforts are much more easily attained at Sittana than at Mulkah, where they have hardly room to lodge the whole community.

12. With these inducements they watched the first opportunity which should offer itself for effecting their return to Sittana.

13. This was afforded by the dissensions subsisting among the various branches of the Otmanzai tribe, inhabiting Kubbul and Kyah; among the petty factions of this tribe constant quarrels prevail, as is the case in most Pathan communities; but these chronic differences have assumed a more bitter character within the last few months. The last phase of the quarrel appears to have been the appropriation by one portion of the tribe of the whole of certain sums paid by traders for "budruggah," or escort, through the Otmanzai limits, which should have been shared among the whole brotherhood.

14. The weaker party, it is asserted, applied to the Syuds for aid. It has not yet been elicited whether the application amounted to a request for military assistance; or, if it consisted only of a desire for the Syuds to exert their moral influence in their behalf. Be that as it may, the Syuds availed themselves of the opening, and with the consent, and, as it is reported to me, the connivance also of the Upper Munsoor Jydoons, 120 of whom are said to have accompanied them, the Syuds, moved down from Mulkah with a party consisting of from 500 to 700 Hindoostanees, first to Gobai, and thence to Sittana, which they reached on the 28th June.

15. On hearing rumours that there was some movement in the direction of the Syuds, as noted in the first part of the preceding paragraph, I sent notices to the Jydoon and Otmanzai Jirgahs, reminding them of their engagements, and warning them to be careful lest they should be infringed. This was on the 25th June. On the 1st July rumours reached me that the Syuds and Hindostanees had come to Sittana, which were confirmed by reports received on 2nd July. On the following day I sent purwanas to the Jydoon and Otmanzai Jirgahs, directing them to remove the Syuds and their party from Sittana at once, according to the terms of their compact, and reminding them of the loss and trouble occasioned to their tribes by its infringement on a former occasion. Copies of these purwanas are forwarded herewith.

16. On the 1st July the Syuds and their followers moved into Kyah, and on the 3d to Kubul. This latter place was professedly invested, but no opposition of any kind was offered by the inhabitants, nor violence by the besieging party. On the 5th July four of the principal men of Kubul and Kyah, named Khadee Khan, Azeezkhan, Mazoollah, and Abdool Humeed crossed over with some portion of their families to our village of Torbelah. They effected their embarkation, and crossed without molestation or hinderance of any kind from the Syud's investing party. The latter occupied Kubul, remained there two or three days, and returned to Sittana on 8th July, where they are reported to be settling down, and employing themselves in constructing their abodes.

17. This concludes the narration of the Syud's proceedings up to the present time. From the above it may be conclusively gathered, I think, first, that at least a portion of the Otmanzai tribe, under solemn engagement to the Government to prevent the Syuds from re-occupying Sittana, have been one means at least of inviting the present aggression by their own foolish, if not malicious, conduct in applying for the Syuds assistance; secondly, that a considerable portion of the Munsoor Jydoons, also parties to the treaty, are guilty of its infraction by lending their countenance and material support to the Syuds movement; thirdly, that the Syuds party have assured themselves of strong support and countenance, as well, perhaps, from the neighbouring Pathan tribes, as from the Jydoon and Otmanzai, before committing themselves to an act of direct defiance of the Govern ment prohibition.

18. I have received replies to my purwanas, addressed to the Jydoon and Otmanzai, Jirgahs, copies of which are annexed. The Jydoons, both Salar and Munsoor, deny any connivance or share in the movement, impute the blame entirely to the Otmanzai, and claim exemption for themselves, as not bound by their agreement to answer for the misdeeds of any of the other parties to it; but Article I. of the agreement provides that the contracting parties shall, in any attempt of the Syuds or Hindoostanees, to re-establish themselves at Sittana, "unite to prevent or expel them." The concluding portion of the article, while it provides that, if any of the parties to this engagement act in contravention of its terms, that party will alone bear the blame, does not, as I interpret it, release the other parties from their pledge to unite and expel the aggressors; besides, the Jydoons themselves are by no means clear in this matter.

19. The reply of the Otmanzai Jirgah is a mere subterfuge. They give no reasons for allowing the Syuds to make their entrance into the prohibited lands, and have wilfully misinterpreted

misinterpreted my order, giving them eight days law to fulfil the conditions of their agreement, to mean that they were to wait eight days for assistance.

20. I gather from your letter of 9th current, that you have recommended that the offending tribes be placed under blockade as on the former occasion of their breaking faith in 1861.

21. As you are aware, the blockade of the Jydoons can be most effectually enforced in Eusufzai, opposite to Mainee, in which province are two of their largest villages, Gunduf belonging to the Salar, and Beesuk to the Munsor division of the tribe. It would be necessary to have a strong detachment in the neighbourhood of Mainee with patrolling parties, for the Jydoons are so intimately mixed up with the neighbouring Eusufzai villages that it would be hopeless to expect an efficient blockade to be maintained by the people of the country alone. I understand also that many Jydoons hold lands in Eusufzai on cultivating tenures. It would be well to have these seized during the term of the blockade.

22. The blockade in this district can be well maintained as regards the Jydoons and Otmanzai by careful watching of the river board. A vigilant supervision is already kept up by means of posts which were located at intervals along the river bank, on the arrival of the Syuds at Sittana to guard against marauding parties.

23. As regards reprisals, I do not think the Jydoons are likely to take this line for the reasons above stated; they are so mixed up with the people of Eusufzai that it is not probable they will make any attempt in that direction, and they are too distant from Huzara to render any retaliatory measures, on their part, practicable in this district. It is possible, however, that the Syuds and Hindoostanees may take up the cudgels in behalf of their allies.

24. The two courses most open to them for causing us annoyance are the detaching of thieving parties into this district, and the attacking of the Umb Province Trans-Indus. The first of these modes of annoyance they are very likely to adopt, and we may have an increase of cases of kidnapping and murder, for we have placed as many police as we could gather together to watch the river bank; and the police force, scarcely enough before, will be quite inadequate now, for internal patrolling.

25. As regards the probability of the Hindoostanees attacking Umb, it has always been supposed that the possession of that place was one great object with their party, for the plunder, to gratify their hatred of the Tunowlees, and on account of the strong position it would give them morally and strategically; but it is said that Mobaruk Shah, the leader of the party, discourages any demonstration against Umb, he being connected by marriage with the late Tunowlee Chief Jehandad Khan. It is a contingency, however, which should, I think, be always considered as imminent, and precaution taken accordingly.

26. I had the honour to address you at length on this subject, noting the measures I had taken in my letter dated 8th July, to which I beg to refer you.

(No. 129—596).

From the Secretary to Government Punjab to the Secretary to Government of India, Foreign Department, with the Governor General, dated Murree, 4 August 1863.

Sir,

In continuation of No. 588 of the 1st instant, I am directed to forward, for the information of his Excellency the Viceroy, the annexed copy of a letter, dated 31st ultimo, from the Commissioner of Peshawur, with enclosures, showing the disposition made of the levies and police, with a view to enforcing the blockade against the Jydoons and the Otmanzais.

2. The recovery of the cost of the levies can hereafter be made a stipulation with the offending tribes when they come to terms, should it appear desirable.

3. I am to add that the moral support given to Umb by the enlisting on our side of these few yeomen, is politically of value.

I have, &c.
(signed) *T. D. Forsyth,*
Officiating Secretary to Government Punjab.

Copy of a Letter No. , dated 31 July 1863, from the Commissioner and Superintendent Peshawur Division to the Secretary to Government Punjab.

I have the honour to forward copy of a *letter of yesterday's date, reporting the fact of his having called out the Jageerdars levies, and furnishing a distribution statement and sketch map, showing the detached disposition both of the levies and the police horse and foot, which it has been found feasible to detach to the blockade line.

* *Note.*—Government Office, from Deputy Commissioner, Huzara.

His Honor will perceive that the whole line from Derbund on the Indus, to Babinai on the Eusufzai border, has been fully arranged for.

I am to-day issuing a proclamation to the Jydoon and Otmanzai tribes, announcing their exclusion from the benefits of intercourse with British territory; a translation of this will be forwarded.

The whole cost of these levies monthly will be 1,844 rupees.

I have sanctioned the advance of the first month's subsistence, which is absolutely necessary, in the case of such levies; and I request that this may be confirmed, and that budget provision may be arranged for the expenditure.

It is a great advantage to us to get this work done by these irregular levies for the next two months, after which, and when the winter season has set in, the levies can, if it is the wish of Government, be replaced by our own troops.

It is of course possible, however, that in the two months the blockade may have produced decided effects, but it is not feasible to reckon accurately on the period that will be required to make them feel the deprivation severely.

COPY of a LETTER No. , dated 30 July 1863, from the Deputy Commissioner Huzara to the Commissioner Peshawur.

IN compliance with your instructions, I called upon the Jageerdars to furnish such levies of horse and foot as might be required of them, and I now beg to forward statements of the numbers, with the posts at which it is proposed to locate them.

2. As many police as it was practicable to detach for this emergency, have been associated with the levies to give them some degree of firmness: and thus you will perceive in the statement of horse levies, that certain Jageerdar's sowars have been told off to relieve the police sowars of the current work at Abbottabad and Hurreepore, such as carrying despatches, patrolling the high road, and escorting prisoners.

3. I beg to append also a sketch map of the localities on both sides of the river, showing the several posts, with the strength of the detachments.

I have also endeavoured to sketch roughly the run of the Mahabun Mountain, and the range of country occupied by the Otmanzai and Jydoon tribes.

4. I solicit your sanction to make an advance of one month's allowance for the feed of the levies, who have not generally ready money at command, and it is very advisable that they should pay in cash for all their supplies while in the Tunawal chief's country.

STATEMENT of Foot Levies furnished by Jageerdars.

NAMES OF JAGEEDARS.	Number of Foot Furnished.	Monthly Allowance at 4*s.* each.	Where Located.	Total at each Post.
Mirzuman Khan	35	140	Durbund.	—
Ushruf and Feroz Khan	25	100	ditto.	—
Raja Mahomed Khan	16	64	ditto.	—
Ditto Ata Ali	8	32	ditto.	—
Syud Gholam	25	100	ditto.	—
Ahmud Mokadum	15	60	ditto.	—
Khyr Mahomed	5	20	ditto.	—
Raja Gholam Mahomed	8	32	ditto	137
Raja Ali Gohur Khan	45	180	Nowa Giran	—
Ditto Feroz Khan	10	40	ditto.	—
Ditto Hydur Buksh	30	120	ditto	85
Feroze Khan	12	48	Tuvee.	—
Sher Mahomed	15	60	ditto.	—
Fyz Ali	10	40	ditto.	—
Kazi Abdool Gufur	15	60	Kirplian.	—
Nawab Khan	20	80	ditto.	—
Inayutoolah	10	40	ditto.	—
Atai Khan	8	32	ditto.	—
Julal Khan	8	32	ditto.	—
Sudar Khan	10	40	ditto.	—
Kuru Khan	10	40	ditto.	—
Mahomed Khan	10	40	ditto.	—
Muhmood Khan	15	60	ditto	106
TOTAL	365	1,460		365

Deputy Commissioner's Office,
Huzara, 30 July 1863.

(signed) *H. H. Coxe,*
Deputy Commissioner.

STATEMENT of Horse Levies furnished by Jageerdars.

NAMES OF JAGEERDARS.	Number of Horse Furnished.	Monthly pay at 8 s. each.	Where Located.	Number at each Post.
Fuzul Khan	8	64	Laloo Gullee.	—
Mir Zuman Khan	4	32	ditto.	—
Raja Mahomed Khan	3	24	ditto.	—
Ditto Ata Ali	1	8	ditto.	—
Ahmud Mokudum	6	48	ditto.	—
Khyr Mahomed, ditto	2	16	ditto	24
Raja Ali Gohur	2	16	Abbottabad.	—
Ditto Hyder Buksh	2	16	ditto	5
Ditto Feroz	1	8	ditto.	—
Ditto Fyaz	1	8	Chumbah.	—
Abbas Khan	1	8	ditto	2
Sher Mahomed Khan	2	16	Maneyree.	—
Fyz Ali Khan	1	8	ditto	3
Feroz Khan	2	16	Hurreepore.	—
Nawab Khan	2	16	ditto.	—
Muhmood	1	8	ditto.	—
Kaim Khan	3	24	ditto	8
Kann Khan	2	16	Hutai	2
Ushruf and Feroz Khan	4	32	Torbelah Kamdul	2 2
Total	48	384	—	48
Total of Foot	365	1,460		—
GRAND TOTAL	413	1,844		

Deputy Commissioner's Office,
Huzarah, 30 July 1863.

(signed) *H. H. Coxe,*
Deputy Commissioner.

(No. 16.)

From the Secretary to Government Punjaub to the Secretary to Government of India, Foreign Department, with the Governor General, dated Murree, 14 August 1863.

Sir,

YOUR telegram of the 5th August conveyed the approval of his Excellency the Governor General to the measures reported in my letter, dated 18th July, regarding the Sittana fanatics; but his Honor was called upon to report the effect of those measures, and whether any new insults or proceedings on the part of the fanatics have occurred, before his Excellency would give further orders.

2. I am now directed to submit a further report, and to preface it with the remark that affairs are now assuming a more serious aspect; and events, as they develope themselves, justify the apprehension of disturbance, which the Lieutenant Governor had anticipated.

3. The Commissioner of Peshawur had suspended for 10 days the order for blockading the Jydoon tribe, in the vain hope that they would succeed in bringing the Munsoor clan over to the side of order.

4. On the 11th August he reported that a very hostile communication had been addressed by Syud Mobaruk Shah and Moulvee Abdoolla, the leaders of the Sittana Colony, to the young chief of Umb, in which he was called upon at once to come out and separate himself from the infidels doomed to perdition, "Kufr-i-nabaka," and they declared that their intention in coming down to the confines of Umb was to further the interests of the Mahomedan religion.

5. At the same time, a kind of pastoral letter from Medina to all the "faithful" has been disseminated by the fanatics, with the purpose, which it is

likely to accomplish, of inflaming the fickle and ignorant Mahomedan tribes in these parts.

6. This report was followed the next day by more detailed accounts from the officers and spies who are on the banks of the Indus, within view of the fanatic colony.

7. These accounts are, that the Hindoostanees are erecting small forts at the villages of Kyah and Kubul, and that there is a general gathering of the Afghan tribes, viz., Amazai, Allazai-Jydoons; and there are even indications of treachery on the part of a considerable portion of the Boochâl inhabitants of the Umb territory.

8. The Munsoors, to gain over whom Colonel Taylor had allowed 10 days' delay, after some deliberation, decided on braving the wrath of the British Government, and have joined the fanatics.

9. Within the last day or two the fanatics have been reinforced by a body of their men who had remained behind at Mulka, and the whole are clearly observed from our pickets on this side the Indus, to be drilling and making every warlike preparation with the avowed object of attacking Umb.

10 That they should make such an attack we have every reason to expect, for, for some time past, the accounts from the fanatic camp showed that poverty and destitution had rendered them desperate, and an attack on some wealthy place was a matter of necessity to enable them to obtain the means of subsistence. His Honor believes that the Syuds desire to occupy Umb as much on account of its position and for the influence such a step would give their cause, as for plunder to be obtained.

That the inhabitants of Umb fear an attack may be gathered from the significant fact, that the Minister of that place is rapidly transporting all the moveable property of his young master to the British side; and the shopkeepers and traders, following immemorial custom, are burying their goods in the ground, and prepare for flight.

11. Now, it is impossible not to perceive the extent of the evil that would be caused by the fall of Umb into the hands of the fanatics. Such an event presupposes the junction of all those tribes on the Trans-Indus frontier in hostility to our Government. This junction is now being rapidly formed. Umb once taken, general uneasiness would immediately result, and would develope into disturbance if we did not at once reassert our power. Any success of the tribes Trans-Indus would be followed by a shaking of the tribes on this side the river, who, even now, are only half-hearted in their demonstrations against their border brethren, and who not many years ago, showed by open acts of hostility, the feelings of disloyalty which we cannot suppose to have been entirely eradicated. The Huzara tribes are proverbial for their disloyalty to the reigning Government, whatever it may be. It is true, that if the Hindoostanees and tribes take Umb, we should be able to recover it without much difficulty, though not without setting in motion a considerable force; but the very fact of its being taken would cause an amount of excitement which would be highly prejudicial to the general peace, and ought to be avoided.

12. Umb, then, ought to be supported. By giving support we should show that we are determined that the Hindoostanees shall have no power of aggression. We shall give confidence to our friends, and confirm the wavering; whilst we shall cause many who are still luke-warm in the fanatic cause to hesitate and withdraw, and, in Pathan politics, a little defection soon disconcerts the best planned arrangements.

13. The Lieutenant Governor cannot assert with any confidence that if Umb be strengthened and preserved from assault, a future expedition to drive out the colony will be avoided; but there can be no doubt whatever that if once it falls, we must be forced into active hostilities.

14. At any rate the Lieutenant Governor believes that we are bound by our engagements to show that we have not deserted our tributary, a minor, to protect whom

whom against formidable invasion the Governor General has declared it to be our policy.

15. Carefully weighing all these considerations, and, after consultation with Brigadier General Sir N. Chamberlain, K.C.B., the Lieutenant Governor has authorised Colonel Taylor, if he finds it necessary, to move down one regiment infantry (Major Keyes), and the mountain battery to take up a position on the left bank of the Indus, opposite Umb, so as to give support, and to be ready to cross over and occupy the fort in case of real attack. Sir N. Chamberlain has given his opinion that a small body of our soldiers, aided by the Khan's Militia, and the district levies could hold the fort and town against an attack of the united tribes.

16. The 1st Punjab Infantry, commanded by Major Keyes, will muster perhaps 450 bayonets; and, in case of necessity, Colonel Taylor has been authorised to move down the Gorkha Regiment from Abbottabad, with the Peshawur Mountain Train, leaving the guards standing in the station.

17. But in the event of the Goorkhas being moved away, it is absolutely necessary to strengthen Huzara. The past history of the tribes of these hills shows the necessity for overawing them with the presence of an armed force. The hill men have never been disarmed, and on more than one occasion they have broken out into active rebellion. The most turbulent men belong to the Kurrul tribe, who occupy the valleys between Hurrcepoor and Murree. In the centre of their country, and commanding the valleys on either side, is the village of Saijkote, and here it would be advisable to locate any force that might be moved up as a support.

18. Prior to this movement, and wholly independent of all strategic considerations, the Lieutenant Governor heard that the General Commanding the Peshawur division had advocated the movement of the 101st Regiment from Rawul Pindee to the hills near Murree, on account of the sickness of the men. Sir N. Chamberlain has suggested, and his Honor entirely concurs, that it would be very advisable to march the regiment to Saijkote or its neighbourhood on the plateau instead of to Murree.

19. Saijkote is about 22 miles north-west of Murree, and is approached by a good road, which leaves the Rawul Pindee and Murree road about six miles from the latter station, and runs through Saijkote to Hurreepoor. It is at an elevation of 5,000 feet, in a healthy position, and is in every way a most desirable locality for a regiment. If thought proper, the regiment could be employed in improving the roads down the descent, which leads to the Doré River, and which with the ascent to Murree are the two difficult parts of the lower road between Murree and Huzara. General Garvock, who has been consulted as regards the locality on sanatory grounds, concurs in the value of moving the regiment for change of air somewhere or other; and politically, the Lieutenant Governor believes the effect on Huzara and on the tribes Trans-Indus would be very beneficial, and will probably turn the scale in favour of quiet.

20. I have therefore been directed to place the case fully before you for his Excellency's information, and to convey the Lieutenant Governor's earnest recommendation that his Excellency may be pleased to sanction the measures now taken, and to permit the march of the Europeans to Saijkote.

21. I am to solicit the favour of early orders by telegraph.

I have, &c.

(signed) *T. D. Forsyth,*
Officiating Secretary to Government Punjab.

SERVICE MESSAGE.

From Simla, 19 August 1863.—From Secretary Foreign Department to Murree to Secretary to Government Punjab.

THE measures adopted by the Lieutenant Governor as reported in your letter No. 16, dated 14th August, are approved. The Commander-in-Chief has been requested to give the necessary order by telegraph for the march of the 101st Regiment to Saijkote.

I have, &c.
(signed) *H. M. Durand,*
Secretary to the Government of India, with the Governor General.

(No. 147—649.)

From the Secretary to Government Punjab to the Secretary to Government of India, Foreign Department, with the Governor General, dated 24 August 1863.

FORWARDS for information copy of a letter and its enclosures from the Commissioner Peshawur, together with copy of instructions issued by the Honourable the Lieutenant Governor, directing that the Jydoons be prevented from cutting and carrying off their crops from lands bordering our territory which have been attached.

COPY of a LETTER No. , dated 20th August 1863, from the Commissioner and Superintendent of Peshawur Division to the Secretary to Government Punjab.

I HAVE the honour to enclose a demi-official communication (original) received this day from Lieutenant R. G. Sandeman, Assistant Commissioner in Eusufzai, and beg to state that I have addressed that officer in reply, to the effect, that the Jydoons must, on no account, be allowed to remove the crops from their attached lands.

I enclose also a copy of my letter of this date to Lieutenant Colonel Wilde, C.B., Commanding in Eusufzai, which I have sent through Lieutenant Sandeman.

I trust that his Honor will approve of the course taken.

I have acted on the belief that, after giving the Jydoons every opportunity and chance of settling matters with us peaceably, it is most necessary to show them that we are in earnest in all that we have said, and that we mean to act up to it.

COPY of a LETTER of 20th August 1863, from Commissioner Peshawur Division to the Officer Commanding Guides.

LIEUTENANT SANDEMAN, Assistant Commissioner Eusufzai, has informed me that the Jydoons of Gundup and Beesuk are cutting and carrying away the cotton crops from their Eusufzai lands, which lie on the very border of our territory.

2. These lands have, as you are aware, been attached by the orders of Government during the present difficulties. I have therefore directed Lieutenant Sandeman to take measures, in concert with you, for securing these crops, either by cutting and removing or by destroying them.

3. I shall feel greatly obliged by your carrying out this very necessary measure.

4. Should you not consider the force at your disposal sufficient for the duty, I shall feel obliged by your informing me, as I shall then have to make requisition from Peshawur for the necessary reinforcements.

COPY of a Demi-Official LETTER, dated 18th August 1863, from Lieutenant *R. G. Sandeman* to Colonel *R. Taylor*.

I MOVE to-morrow to Swabee to meet Colonel Wilde, and also to have an interview with the Khoodoo Kheyl Jirgah. I think we will not have much difficulty to get them to do what is required, as they have no particular affection for the Jydoons. I suppose if they seize Jydoons entering our territory through theirs and deliver them up to me, they are entitled to the 5 rupees per head? I will keep myself well acquainted with all they do. Kindly read the enclosed papers in the vernacular about the lands held by the Jydoons in Eusufzai, and kindly direct me what to do. They have at present cultivated in Eusufzai lands sowing 80 maunds of seed. This at present is covered with a large cotton crop, and as it ripens, they form large parties of armed men, cross the border in the early dawn, and, having collected all the ripe cotton, fire off guns, &c., of triumph, and then return to Gundup, Beesuk, &c. Our villagers are quite afraid to take their cattle to graze, in consequence, in that direction. If you approve, I propose to send notice to the Jydoons to cease doing this, and to leave the cotton fields standing; otherwise I will have them all cut down. In fact, as long as they remain and the Jydoons are allowed to act in this way, I fear much they will not get more humble in tone. It may appear a matter of wonder how the Jydoons come to cultivate so much of the Eusufzai lands, but in reality it is not so, and one of the papers, No. 2, is signed by Nawab, son of Massum, one of the chief Mulliks of Gundup, acknowledging the villages by name which cultivate lands in Eusufzai. The reason is this: During the time of the Sikhs, from continual fights with that power when raising revenue, from blood-feuds amongst themselves, and from battles the one village against the other, the male cultivators were very few, and, as a necessary consequence, large tracts of land belonging to each village remained uncultivated. This was more particularly the case with the villages on the extreme border, and the lands the villagers themselves could not plough up were often made over to a larger community for cultivation, on the understanding that the produce was to be divided. In this particular case at the present time many of the villages of the Munsoor Tuppah pay a portion of produce of the lands they cultivate in Eusufzai to the head men of our villages of Mani, Junda, &c. I have often heard the Mulliks point to the children in the villages as a mark of their present prosperity, saying, "In olden times it would have been different; and where would the fathers of these children have been?" And more clearly to show this, I may mention the fact, that when Colonel Lumsden assessed Topi, Mani and Baheeme, there were respectively 100, 120, and 70 ploughs to each village; now the Mulliks acknowledge to 500, 650, and 140, showing a vast increase. If we are to allow the Jydoons therefore to carry off the present crop of cotton, we will positively injure by the blockade our own villages, by depriving them of their fair share. I have been at considerable pains to get at the truth of this, and have been over these lands. Moreover, the Jydoons acknowledge it themselves; therefore I cannot see any great hardship if we deprive these unfriendly neighbours of our own cotton; besides, I believe it would have the best effect in the world, showing them what they can suffer by their breach of faith. As the cotton is being collected daily, to have effect, it must be done at once, and Lieutenant Jenkins, commanding here, states he could easily supply me with a strong enough guard to enable me to cut and collect the cotton crop without injury to those employed. I honestly believe it will do more harm than good, if we allow the Jydoons to collect it in the manner they are now doing without interference.

COPY of a LETTER No. 648, dated 24th August 1863, from the Secretary to Government Punjab to the Commissioner and Superintendent Peshawur Division.

I AM directed to acknowledge receipt of your communication of 20th instant, and its enclosures, and in reply, to say, that as the lands have been attached and the blockade has commenced, the crops cannot be allowed to be carried off; it is necessary to show the Jydoons we are in earnest, and the Lieutenant Governor approves of the orders which have been issued by you.

(No. 158—668.)

From the Secretary to Government Punjab to the Secretary to the Government of India, Foreign Department, with the Governor General.

Sir, Dated Murree, 31 August 1863.

I AM directed to forward copy of a letter from Colonel Wilde, and extract paras. 1 to 9 from one from the Commissioner of Peshawur, and to state that the Lieutenant Governor has strengthened Colonel Wilde by sending the Peshawur

Mountain Train Battery from Huzara, and a Detachment of the Guide Cavalry that was in Huzara. Sir N. Chamberlain has also sanctioned 50 Sabres being ordered from Kohat, if needed.

2. His Excellency will observe that the Hindoostanees appear to be very active in trying to gain the co-operation of the tribes.

I have, &c.
(signed) *T. D. Forsyth*,
Officiating Secretary to Government Punjab.

COPY of a LETTER No. 384, dated 23 August 1863, from Lieutenant Colonel *A. Wilde*, C.B., Commanding at Murdan, to Lieutenant Colonel *R. Taylor*, C.B., Commissioner and Superintendent Peshawur Division. Dated Camp, Topi, Eusufzai.

I HAD the honour to inform you a few days ago that I had received your letter No. 142, dated 14th August 1863, with enclosures, directing the blockade of the Jydoon tribe, and that Lieutenant F. Jenkins, commanding on the frontier, had been ordered to impose it.

2. From enquiries made personally on the frontier, I am of opinion that the following disposition of troops is necessary for the safety of the country, whilst the blockade lasts; and I trust you will offer no objection to its immediate adoption. The present rupture of relations with the Jydoon tribe, and the Sittana Hindoostanees is quite different in its nature, and more likely to be serious in its results than the differences which occurred in 1861. The Hindoostanees of Sittana are numerically stronger than they were in that year; are more active, and have been more successful in their appeals to the tribes; more money has been spent, and many influential chiefs bribed; the combination of the tribes is more extensive: and, from all the information I can gather from the people, my own officers and men who know this part of the frontier perfectly, we have every reason to expect a more determined resistance than formerly to the demands of Government.

3. Under these circumstances, I have increased the strength of the detachment at Topee, to 300 rifles and 150 sabres, to be under the command of Lieutenant F. Jenkins, second in command of the Corps of Guides, who has already chosen the best position for his camp the country offers; and I have applied to the Brigadier General commanding Punjab Irregular Force for permission to move out the remainder of the Corps of Guides to Maneyree Swabee, where I shall establish my head quarters.

I have also applied for a half-battery of guns, which I consider indispensably necessary at the present juncture of affairs, and which I shall place at Maneyree Swabee. To carry out this arrangement, two or four companies of a Native regiment will have to be detached from Peshawur to garrison the Fort of Murdan.

*Topee Maneyree Swabee.
† 10 miles.

4. These two positions* cover the whole country threatened by the enemy, and will enable me to protect the Gullah Ferry; watch the Khoodoo Khels, and are sufficiently near,† both to support, and to combine their movements with each other to cut off any parties from the hills attempting to maraud, a contingency I expect to occur before long.

5. The assistance you have promised in strengthening the police force in the district, and the services you have already sanctioned the Assistant Commander to organize, added to the political arrangements you have made with the Khoodoo Khels, will, I have every reason to believe when the military plan I have suggested is carried out, secure the safety of the district of Eusufzai, and render the blockade strong and effective.

6. I enclose a letter to the Brigadier General commanding the Punjab Irregular Force, for perusal, and request you will forward the same direct to Murree, recommending the immediate adoption of these measures.

I have also asked the Assistant Commander of Eusufzai to give you his impression of the state of this frontier, and have shown him this correspondence.

Note.—I return to-morrow to Murdan, where I shall remain until relieved by the troops from Peshawur.

EXTRACT from a Demi-Official Letter, dated Camp, Topee, 24 August 1863, from Lieutenant *Sandeman*, Assistant Commissioner, to Lieutenant Colonel *R. G. Taylor*, C.B., Commissioner and Superintendent Peshawur Division.

COLONEL WILDE has shown me the accompanying letter, and has requested me to state to you my opinion of the present state of affairs. There has nothing transpired to cause me to alter the opinion expressed a short time ago. The great majority of both Tuppahs of the Jydoons are heartily with the Syuds and their Hindoostanee followers, and I think every exertion is being made by them to get the tribes higher up to join the cause on religious

religious grounds, as well as by means of bribes, and from what I can hear (the sinews of war) money seems to be quite plentiful. I don't believe they will succeed in getting assistance from the Bonair people; but it is no less a fact, that they are endeavouring to do so, and the Kotah Mollah (about whom I wrote you lately) has gone off to ask his "Mooreeds" to join—at least, so it is confidently stated by all. It appears that the Jydoon tribe as well as the Achoor Kheyl and Otmanzais are followers of this Mollah, and they wrote him the other day that he must join them, as he was their high priest; otherwise, they and the Syuds would act as the Swat Mollah had done, and proclaim him a Kafir, and a follower of the Ungrezie Sirkar. Upon this the Mollah joined them and, as said above, has gone off to Bonair to use his religious influence in that quarter. I am quite persuaded that the present movement of the Syuds is a more determined one, that they have better hopes, and are in better heart than on former occasions; and there can be no doubt, that in a wonderful manner they have already seduced several of the tribes into falling in with their views, and joining heartly in the cause. I can see no prospect of a settlement of the question, and amongst such a people, aided by religious zeal and money, it is hard to say where it will stop, and it appears to me that, in this quarter, at present we should be well prepared.

Extract from a Letter No. 148, dated 27 August 1863, from the Commissioner, Peshawur, to the Secretary to Government, Punjab.

With reference to my letter No. 143 of the 15th August 1863, I beg to forward copy of a letter, No. 384, of 23d August, from Lieutenant Colonel A. Wilde, C.B., commanding in Eusufzai, to my address, proposing certain further arrangements for more securely carrying out the blockade of the Jydoon and Otmanzai tribes, on the Eusufzai border.

2. Colonel Wilde's letter sets forth very distinctly the opinion entertained regarding the present movement in the Guide Camp, and as the native officers and men of that corps have a far greater acquaintance with the country in front of them than is usual in the ranks of a fighting regiment, the impression which appears so strong among them is worthy of heedful notice.

3. At the same time it is certainly the case that the spur of the Mahabun Mountain which divides the northern from the southern tribes, also divides the politics in a great measure, and I therefore do not consider the Jydoons, Otmanzais, and Khoodoo Kheyls, conclusive exponents of the intentions of the Amazai, Muddah Khail, and Hussunzai tribes; among the latter three, I believe counsels at present to be divided, and the war which is no doubt preached to them sedulously, is popular with only certain divisions in each tribe, but I am perfectly aware that this may be changed in a day.

4. I have before, in addressing his Honor demi-officially, mentioned the idea that there was some background to the whole movement which we had not yet arrived at, that is, that the Syuds have some promised support or diversion on which they are leaning. My attention has of course been carefully directed to this point, but with no success. As yet I can form no other conjecture than that it was necessary for them to move, that is, that they could not look forward to carrying on their then existing relations with the tribes about them for another year, and, having a nucleus of men and good means in the way of money, they have embarked in this attempt to excite a serious movement in the border, in hope of its being extensively taken up, and perhaps raising a religious war against us throughout Huzara and Peshawur. Money has been quite sufficient to bring over the lightheaded and hitherto unpunished Jydoons, and, this being a large tribe, the effect has been, great excitement and disturbance among the other tribes; but I think it very possible that our appearing armed at all points and well prepared, will have the effect of discouraging the northern tribes from joining in the movement; there would then remain the Syuds and their gathering, the Jydoons, and a portion of the Amazais; the Otmanzais are scarcely worth mention.

5. I propose to report on the very great necessity that exists for making an example of the *Buffer** tribes, and especially the Jydoons, for their conduct on this occasion; had it not been for their easily-bought acquiescence, the Syuds could never have moved down. The tribe is conceited, and, to use a familiar expression, "unwhipped." A collision was purposely avoided with them on the occasion of the last expedition, and they are aware of it, and, like all Puthans, attribute it to our "lihaz" (the respect founded on a certain anxious appreciation of the strength of an enemy) of their prowess.

* *Sic. orig.*

6. The real case was, that we had sufficiently punished the Sittana colony and their friends, and had no wish at the close of the proceedings to be embroiled with a large tribe, with whom we had no particular quarrel; but with Puthans it is difficult to be moderate without being misconstrued.

7. The severe punishment of these faithless tribes is the only method of securing a guarantee for the future. The Sittana Colony will never, I think it probable, be rooted out, but we can make our immediate neighbours smart so for the excitement of a few months' friendship with them, that both they and other tribes who may be similarly tempted will be careful how they again engage in such relations with men whose professed intention is to disturb the peace and tolerance of all creeds which exist in our territories, their chief animosity being of course directed against the Christian dominant race.

8. One effect of the greater strengthening of the Eusufzai border, which, however, I clearly advocate in Colonel Wilde's recommendation, will be to make Umb appear more exposed than ever. By a simple force of reasoning, the hostile bodies will say, "They think it necessary to secure all the line of their own territory with strong detachments of trained soldiers; but they think to protect the most exposed morsel of the whole with bodies of half-paid, ill-armed militia." I think it would be wise to put in the last screw; the tin tacks we are making use of are but an imperfect expedient.

9. The possibility of ill health to the troops—I think it only a possibility, as the position at Kirplean, in the river, is a very fine one, high and dry, with a fine river breeze, no rice, or other injurious amount of cultivation,—and the fact that the body of troops itself, if it had to cross the river and occupy Umb, is small, deter me from doing it on my own responsibility, until it is fixed upon me, but the consequence is much anxiety and harass to my mind.

(Nos. 153—672.)

From the Secretary to Government of Punjab to the Secretary to Government of India, Foreign Department, with the Governor General, Simla; dated Murree, 1 September 1863.

Sir,

In continuation of my letter of yesterday, I am directed to report that Colonel Taylor has informed this Government that the Hussunzai Tribe, who inhabit the northern frontier of Huzara, had attacked two or three villages, and have burned the village of Haree, near Shoonglee, a post on the Cis-Indus, Black Mountain frontier of the Tunnowlee or Umb territory.

2. As it is not unlikely that that part of the country Cis Indus may be disturbed, and which, by the terms of Sir H. Elliot's letter, No. 3339, of 30th of October 1851, we are bound to defend, Colonel Taylor has called out the Jageerdars of Agrore and Puklee to repel any attacks, and to guard our frontier line. He also thinks it advisable to move the Goorkha Regiment from Abbottabad to a point X., marked in the accompanying map, so as to be ready to act against the Hussunzais in front, or to check the Trans-Indus tribes, near Umb, if necessary.

3. In my communication of yesterday, it was stated that the Peshawur Train was to be sent to Colonel Wilde at Topee, in Eusufzai, but now Colonel Taylor wishes to retain these guns for Cis-Indus protection. But Brigadier General Sir N. Chamberlain concurs with the Lieutenant Governor in thinking that the Peshawur Train should go to Colonel Wilde as originally arranged; but he has ordered two guns from Kohat to Mardan; and on their arrival the Peshawur guns can, if then required, be sent back to Huzara.

4. I am to explain that the reason for making this arrangement, instead of calling for artillery from Peshawur is, that the Lieutenant Governor is anxious to spare the Europeans the exposure to the sun and heat at this season of the year; the Valley of Eusufzai being unhealthy in September.

5. As the Goorkha Regiment will in all probability be moved very shortly from Abbottabad to the vicinity of Umb, after conferring with Sir N. Chamberlain, Her Majesty's 101st has been ordered to move on to Abbottabad, where barrack accommodation for an European hospital can be provided.

6. Looking at the general aspect of Trans-Indus politics, General Sir N. Chamberlain is further desirous that the 3d Regiment of Sikhs, still attached to the Punjab force, should be moved up at once towards the frontier. His

Honor

Honor concurs in this proposal, and would be glad if his Excellency would be pleased to order the regiment from Meean Meer to Rawul Pindee without delay, there to await further orders from this Government.

I have, &c.
(signed) *T. D. Forsyth,*
Officiating Secretary to Government Punjab.

P.S.—Since writing the above, an official Despatch has come from Colonel Taylor, which is forwarded in original.

(signed) *T. D. Forsyth,*
Officiating Secretary.

(No. 152.)

From the Commissioner and Superintendent, Peshawur Division, to the Secretary to Government Punjab, dated Abbottabad, 31 August 1863.

Sir,

I BEG to inclose a copy of a letter, No. , of this date, from Major H. H. Coxe, Deputy Commissioner of Huzara, reporting a most unprovoked aggression committed by the Hussunzai tribe upon some frontier villages of the Cis Tunawul territory.

2. The Shoonglee Durrah alluded to appears to be quite up among the spurs of the vast Black Mountain. A small fort at the head of the Durrah, which bears the name of the Shoonglee Fort, is held by the Umb chiefs' men; but they appear to have been reduced by the needs of Umb to the lowest point, the minister declaring that he was not apprehensive of attack on the Shoonglee side. It does not make very much difference, as the regular garrison at its full complement would not have numbered more than 60 men, and the assailants in the present instance appear to have amounted to 500 or 600.

3. I am unable to say whether this sudden and unprovoked assault is part of the general scheme for annoying us, which is very probably correctly attributed to the Syuds of Sittana; but it is, at any rate, very possible that it is.

4. On the first rumours of this aggression reaching Major Coxe and myself, we arranged to send forward Mudud Khan's (2d Tunawul chief) men, and to supply their places with fresh levies of the lower Huzara chiefs: this is being done to the extent of 300 men; and as these will be paid levies, I have requested the Deputy Commissioner to stipulate that each contingent be commanded by a brother or son of the chief furnishing it. I am very anxious thus to still further strengthen Umb, and, if it may be, avoid the necessity of pushing on our own troops till the next three weeks of hot and unhealthy weather be overpassed.

5. I will report on the extra expense incurred by this further levy, which, however, should not, I think, be thought of now, when we appear to be embarked in a serious struggle with this nest of unruly and powerful tribes, which has so long kept this portion of the border in unrest.

I have, &c.
(signed) *R. G. Taylor.*

Note.—A sketch of the position of the Shoonglee has been forwarded since officially; it should be appended to this communication.

(signed) *R. G. Taylor.*

COPY of a LETTER of 31st August 1863, from Major *Coxe*, Deputy Commissioner of Huzara, to Lieutenant Colonel *R. G. Taylor*, C.B., Commissioner, and Superintendent, Peshawur Division.

I HAD the honour to forward yesterday a demi-official memorandum, reporting that an aggression had been made by a party of the Hussunzai on the Tunawul country, in the neighbourhood of the Shoonglee Fort, belonging to the Khan of Umb. The following is the purport of the several reports received:—

1st. From the jemadar or custodian of the Shoonglee Fort to the minister at Umb, that a party of the Khan Khail (the principal clan of the Hussunzai) with some of the Akazye, had come down at night and plundered the villages of Shooshee, Chumeear, and Bandee, and carried off the cattle, and had burned the village of Haree: one of the villagers had been killed and another wounded. The reporter suspected that the matter had been

planned by Ameer Khan Hussunzai, with the connivance of the Hindoostanee party. The minister's letter forwarding this report is dated 28th August.

2d. Ameer Khan, of Aglee, in the Agrore territory, a Tunawullee Jageerdar reports that Kubool Khan, son of the chief of the Hussunzai, Hussun Ali, with a large party, first attacked the village of Hâreeân (Haree?) near Shoonglee; took all the property out of the houses, and then set fire to the village. Another party had attacked the villages of Shooshee, Nawashuhur, Bandha, Chumeear, Juboor Shah, Durgharian, and Bai, and plundered them. One person of Shooshee had been killed, and six wounded; the villages of Durgharian, Hareean, Shooshee, and Bai had been burnt. The custodian of the Shoonglee Fort had reported that he had only five persons with him to hold the fort, wherefore he had not made any attempt to repulse the marauders.

Ameer Khan further reports, that on Saturday night, the 29th, the Hussunzai party made another inroad into the Shoonglee Durrah, and had burned the villages of Jubbah, Duro, and others. The number of the marauders is stated to have been 400 to 600 men.

Mahomed Shifan, the minister of Umb, in forwarding the report of the Jemadar of Shoonglee, excuses himself for the unprotected state of that portion of Tunawul on the plea that he expected no attack from that quarter, and that his attention was absorbed by the state of affairs at Umb itself. He notices also the indifference displayed by Ata Mahomed Khan, the chief of Agrore, whose country immediately adjoins the portion of Tunawul attacked, and urges that he and the Pucklee Jugeerdars should be called on to render assistance at once.

This concludes the statement according to the reports already received. I have sent for further and more particular information, for the accounts are very vague and will probably prove to have been much exaggerated. Still there is hardly room for doubt that a direct aggression has been made by a party of the Hussunzai and Akazye on the Tunawul territory.

We are unfortunately but little acquainted with that portion of the Huzara district. The district map is next to useless. Shoonglee itself is not to be found, nor (with one exception, Chumear) any of the villages named in the reports as having been plundered and burned. I am inclined to think that the others named are hamlets of three or four houses each, of which there are many on the slopes of the Black Mountain.

This portion of the Tunnawul province is most unhappily situated as regards the Hussunzai. The latter occupy the crest and upper ranges of the Black Mountain; the Tunnawul villages being for the most part at the foot and on the lower slopes of the same range; and there is nothing, therefore, to prevent aggressions of the nature now reported, but the recollection of the manner in which a former offence of the Hussunzai tribe was visited by the Government. The effect of this lesson appears to have worn off, and the Hussunzai taking advantage of the movement on the Indus by the Hindoostanees, and directly influenced, probably, by that party, have taken advantage of the disturbed state of affairs to commit themselves to this unprovoked aggression.

I have said that we are very little acquainted with the topography of that distant part of Huzara. The whole of that tract being within the hereditary province of the Umb chief, and under his direct management, was not visited, I believe, either by Colonel Becher or Major Adams; and only by Colonel Abbott on the occasion of the expedition against the Hussunzai in 1852. I have been to the head of the Agrore valley and seen the position of the fort of Sheregurh, and observed the position of the Hussunzai, with reference to the Tunawul villages at the foot of the Black Mountain, as described above. I beg to append a rough sketch of the position of Shergurh and Shoonglee, taken from a sketch of Colonel Abbott.* From this it will be seen that both places border very closely on the Agrore territory, and the Khan of that province, Ata Mahomed Khan, is, I think, culpable in not having sent me information of the movement of the Hussunzai. Up to this time I have received no report from him, although the reports from Ameer Khan of Aglee, in Agrore, and that from the Minister *via* Umb, a long detour, reached me the day before yesterday. I propose to call on him for an explanation of this delay, and to direct him to turn out his people and make all provision for the safety of his own border, and, if necessary, to render assistance to his neighbours. I also propose to direct Ameer Khan Jageerdar of Aglee, a Tunawul, to move a party of his own men to Shergurh, and, if necessary, to Shoonglee; and, as before reported, I wrote to the Umb Minister, directing him, if he thought it necessary, to move up Mudud Khan's contingent of 100 men to any point threatened. I do not think, with proper precautions, that there is any danger of the plain villages being attacked, but the hill country of Tunawul is exposed on all sides.

I shall do myself the honour to continue this report to-morrow, but forward this in original at once to save the post, and would request the favour of its being returned as soon as practicable for copy.

* I have incorporated Major Coxe's sketch in a more comprehensive one, corrected by Major Abbott's; this I have forwarded demi-officially to his Honor the Lieutenant Governor.
(signed) *R. G. Taylor,*
Commissioner.

Foreign Department, Political.—No. 584.

Simla, 9 September 1863.

READ a letter from the Secretary to the Government of the Punjab, No. 153, dated 1st September, reporting aggressions committed by the Hussunzai Tribe, and the arrangements made for repelling future attacks.

ORDERED, that a copy of para. 6 of the above letter be sent to the Military Department with the Governor General, with the intimation that His Excellency the Viceroy and Governor General sanctions the move of the 3rd Regiment of Sikhs from Meean Meer to Rawul Pindee without delay, there to await the orders of the Punjab Government, and requests that the necessary steps may be taken in the Military Department for ordering and effecting the move of the Regiment.

(signed) *H. M. Durand,*
Secretary to the Government of India,
with the Governor General.

Foreign Department, Political.—No. 585.

FROM the Secretary to the Government of India, with the Governor General, to the Secretary to the Government of the Punjab.

Sir, Simla, 9 September 1863.

WITH reference to the despatches noted in the margin,* reporting the further arrangements made for the blockade of the Jydoon and Otmanzai Tribes, the aggression made by the Hussunzai Tribe, and the measures his Honor the Lieutenant Governor has deemed it advisable to adopt in repression of such attacks, you will have learnt, from the telegraphic message of this day's date, that His Excellency has complied with the requisition made for the movement without delay of the 3rd Regiment of Sikhs from Meean Meer to Rawul Pindee.

* No. 152—668, dated 31 August. No. 153—672, dated 1 September.

2. From the tenor of the despatches under reply, as also of antecedent communications, it is manifest that his Honor the Lieutenant Governor expects that the conduct of the tribes on the Huzara Indus Frontier will impose, ere long, on the British Government the necessity of having recourse to military operations.

3. Should such operations be forced upon the British Government, it will be advisable, before embarking upon them, that their precise aim and scale, and the means requisite for the rapid and successful attainment of the objects in view, should have been well considered and pre-arranged.

4. His Excellency the Governor General has therefore directed me to call upon the Punjab Government for a confidential report upon these important questions, so that the Viceroy may be in early and full possession of the views of his Honor the Lieutenant Governor.

I have, &c.
(signed) *H. M. Durand,*
Secretary to the Government of India,
with the Governor General.

From Simla, 9 September—From Secretary, Foreign Department,
To Murree—To Lieutenant Governor, Punjab.

THE Governor General has sanctioned the move of the 3rd Sikhs from Meean Meer to Rawul Pindee without delay. The necessary orders for effecting the move will be issued from the Military Department.

(signed) *H. M. Durand,*
Secretary to the Government of India,
with the Governor General.

(No. 683—155.)

FROM the Secretary to Government, Punjab, to the Secretary to Government of India, Foreign Department, with the Governor General, Simla.

Sir, Dated Murree, 7 September 1863.

IN continuation of my letter No. 153, dated 1st instant, I am directed to forward copy of further despatches received from Colonel Taylor, C.B., Commissioner Peshawur Division, forwarding letters from Major Coxe, Deputy Commissioner, Huzara.

2. It appears from this correspondence that though the attack on the Cis-Indus Umb villages by the Hussunzais has not been repeated since my last report, yet the Deputy Commissioner believes that the tribes are gathering in numbers, and the Mudda Khail Tribe, the most powerful of all, which hitherto has not been supposed to be hostile, is said to have crossed the Indus to join the Hussunzais.

3. The opinion seems to be that this attack by the Hussunzais is for the purpose of enticing the Tunawulee Chief to send some of his men from Umb to repel the invasion Cis-Indus, and thus to lay the town of Umb bare to an assault by the Hindostanees and Amazais.

4. There is considerable doubt of the stanch fidelity of Atta Mahomed Khan, our feudatory Chief of Agrore, Cis-Indus, and it is impossible to blind our eyes to the fact that the conduct of these frontier tribes is in the highest degree unsatisfactory, where not positively hostile.

5. On the 2d September, Colonel Taylor reported that he considered it advisable to strengthen Umb by a further levy of country troops, in preference to pushing on the 1st Punjab Infantry and Mountain Train from Sherwan; as it is a great object to save our troops all exposure that can possibly be avoided during the month of September, which, on the banks of the Indus, is very unhealthy.

6. The Huzara levies now amount in all to 100 horse and 600 foot, half being on full pay, and half on subsistence allowance. In addition to this, 100 Tunawul men have been placed on subsistence allowance, as their chief, Mudad Khan, is too poor to maintain so large a number of followers.

7. The total monthly cost will, therefore, amount to not less than 5,000 rupees, and it is hoped that these levies will be sufficient to ward off attack until the season is favourable for undertaking more decisive measures.

8. Atta Mahomed Khan, of Agrore, has been held answerable for the portion of the country under his charge; but in the event of further hostile movements on the Black Mountain Border, Colonel Taylor anticipates that it will be necessary to call out further levies.

I have, &c.
(signed) *T. D. Forsyth,*
Officiating Secretary to Government, Punjab.

COPY of a LETTER from Commissioner, Peshawur, No. 153, dated 2 September 1863, to the Secretary to the Government of India.

I BEG to forward copy of a letter, No. A, from Major H. Coxe, Deputy Commissioner, Huzara, of yesterday's date, from Sherwan, reporting completion of the arrangements previously agreed on between us for strengthening Umb itself and its Cis-Indus frontier.

2. I have deemed it advisable to do this by a further levy of country troops, in preference to pushing forward the 1st Punjab Infantry and Mountain Train now at Sherwan. My reasons for this are well known to his Honor the Lieutenant Governor. They may be summed up in the fact that it is worth while to make especial exertions to save the troops from exposure to climate in the next month; and secondly, that the strength of the regiment, not at present exceeding 400 of all arms, makes it desirable, if possible, to avoid pushing

pushing it on to a point where it might have to cross the River Indus, and work in an unsupported position, against large combinations, at a spot 40 miles from Abbottabad.

3. The Huzara levies now amount in all to 100 horse and 600 foot, half being on full pay, and half on subsistence pay; and I trust that the numbers can hardly be considered excessive, considering the duty in hand. I have also put Mudad Khan's Tunawul men on subsistence pay. These 100 men have now gone to the front to support the Cis-Indus border of Tunawul. Mudad Khan is poor, and has not a full stake in the country. His levy, therefore, was disproportionately large, and he complained that he had more than his fair share to provide, and we considered that there was justice in his remonstrance. I therefore put his men on subsistence pay. I append (in original) Major Coxe's memorandum of news for the day, alluded to in his letter.

Copy of a Letter, No. A., from the Deputy Commissioner of Huzara, to the Commissioner and Superintendent, Peshawur Division, dated 1 September 1863.

I have the honour to forward herewith memoranda of reports received this day.

2. You will observe that Umb has been strengthened by the accession of the Durbund levy of 137 men, and that 100 men, Mudad Khan's levy, have been moved up to support that portion of the Tunawul province now threatened by the Hussunzyes.

3. Under verbal instructions received from you, I beg to report that I have called upon the Jageerdars to furnish an additional contingent of 50 horse and 300 foot, according to the accompanying memorandum, which shows also the places at which I propose posting the levies for the present.

4. It is desirable, I think, to support the post at Nowa Giran, which is immediately opposite the main body of the Hindostanees; and, with the river decreasing daily, opportunities might be afforded to the latter of making a sudden attack and doing mischief, before the main body of the levies would be brought to act against them.

5. In calling out the levies, I have directed that the principal person who furnishes them, or some near relation, shall command the party.

6. I have no complete information as yet regarding the attack on the Shoonglee villages; from the report of the Shahzada, it would seem that my impression, that the villages were most probably small hamlets (paragraph 5 of my letter of yesterday's date, No. 13 of accompanying memorandum directing him to furnish me at once with a rough sketch of the threatened country, the posts or positions of strength which the Tunawulees hold, the number of men, &c.) *S. O.*

7. The conduct of this matter by the Tunawul authorities has been marked throughout by extreme supineness and indolence. They must be alive, I presume, to their own interests, but they do not show that they are so by their actions.

8. Notwithstanding that the measure was pressed on them at the very outset of this matter, they are only now beginning really to exert themselves, notwithstanding the defences of the town, and their carelessness in providing for the safety of their very exposed frontier line toward the Hussunzai country, is forcibly demonstrated by the fact that there were only five men beside the officers to hold the important post of Shoonglee, in the most exposed part of the province.

9. Now that the mischief has occurred, a cry for help is immediately raised; but no heed was taken to this important point, even while danger was threatening on every side, nor was any intimation made to me that that quarter was unprovided for.

10. There is considerable jealousy, as you will probably have observed, of interference, even while our support is urgently solicited; and I mention these circumstances now, with a view to the management of the province being placed on a more satisfactory footing when the present pressure is over.

11. I trust that the moving of Mudad Khan's levy, with the addition of a party of horse from the new contingent, will be sufficient for defensive purposes until the wishes of Government are known.

12. The circumstance of the low state of the river, and the collection of "Surnais" by the Hindostanees, deserves, I think, needful consideration. I have arranged for the strengthening of the most important points by the new contingent; but the line is a long one to protect, and the main body of the Hindostanees is concentrated at one point, "Murdee," which gives them a considerable advantage.

MEMORANDA of REPORTS received 1st September 1863.

From Shahzadah Sooltan Ibrahim, in charge of levies on River Bank; dated 31 August.

1. Last night the inhabitants of Umb were under apprehension of an attack, and passed the night in an attitude of watchfulness. There was no ground for their fears.

Ditto.

2. The bastion for the large gun progresses, and the people are engaged, also, in repairing the fort parapets.

Ditto.

3. The Hussunzai party, friendly to the Umb Chief have written to say that the attack made on the Tunawal villages was done without their knowledge or consent.

Ditto.

4. Shahdad Khan, who brought a petition from the Mudad Khail and received an answer, has spread reports that it is the intention of the British Government to annex the whole country as far as Swat, on which many councils have been holden.

5. A person arrived from Shoonglee reports that some of the Hussunzai and Chigurzai had, on the 30th August, burnt three hamlets of Tunawal. There were only four huts in each, and some were inhabited.

6. Some of the Hussunzai, Amazai, and Chigurzai, went to the Hajee Sahib* to solicit orders for undertaking a war against the infidel. The Hajee did not approve of the proposal at present.

7. The Hindoostanees parade daily cavalry and infantry opposite our post of Nowa Giran. The river bank is patrolled all night by their horsemen.

8. The Moulvee has ordered 50 surnais (inflated hides) to be ready at Mundee. The Hindoostanees daily practise swimming on them.

9. News of the attack on the Tunawul villages was brought to Mundee as the Moulvee was starting for Mulka, which caused him to postpone his departure, and excited great satisfaction among the Hindoostanees.

10. The river is decreasing daily in volume, and in a week will be at its cold weather level. Now the voice of a person calling loudly at Mundee can be heard on this bank. The Hindoostanees are doubtless expecting that the time is at hand for their visitation, they guard the landing-places day and night.

11. Reports the march of Mudad Khan's levy from Durbund to support Shoonglee; and that, at the request of the Umb Khan, 25 horsemen have been moved up to Durbund to supply their place; also that he is about to despatch Ali Johur Khan's levy of 55 men from Nowa Giran to Khanpoor.

From Abdoolla Khan, commanding Jageerdar's levies, dated 31st.

12. Reports arrival of Durbund levy of 137 men in Umb.

From the Umb Minister, dated 31st.

13. Reports plundering of Tunawal villages, and solicits assistance, and that the Hussunzais may be punished.

(signed) *H. H. Coxe,*
Deputy Commissioner.

Camp Sherwan, 1 September 1863.

COPY of a DOCKET, No. 159, dated 5th September 1863, from the Commissioner and Superintendent, Peshawur Division, to the Secretary to Government, Punjab.

FORWARDS for the information of his Honour the Lieutenant Governor, copies of letter, No. C, dated 4th instant, from Deputy Commissioner Huzara to Commissioner, and reply thereto, regarding the attack by the Hussunzai tribe, on the hamlets in the Shoonglee Valley.

COPY of a LETTER, No. C, dated 4th September 1863, from the Deputy Commissioner at Huzara to the Commissioner Peshawur.

I HAVE to-day received more complete reports of the attack upon the Tunawul villages, near Shoonglee, which are to the following purport:—

2. The Hussunzai came down on two successive nights. On the first night they plundered and burnt five small villages; on the second occasion they had plundered three villages,

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* The principal religious authority among the Hussunzais.

villages, when the Tunawul party from Shergurh, consisting of not more than 40 men, according to the Umb statements under Hosain Jemadar, came up a little before day break, and the Hussunzai ran up the hills. The only person injured was a Goojur herdsman who resisted the carrying off his cattle, and struck one of the Hussunzai with a hatchet, on which he was despatched by the Hussunzai.

3. This was on the 30th August, since when there has been no further attempt on their part; but, as reported in my letter of yesterday, the tribes are reported to be gathering in numbers, and some of the Mudah Khail are also said to have crossed the river yesterday to join them.

4. The Tunawulees holding the following posts on the face of the Black Mountain, in strength as detailed below.

Shergurh, on the south side of the Oonâr stream, 50 or 60 footmen and 40 horse.

Shoonglee amid the ravines of the Black Mountain, 300 or 400 footmen.

Chumberee, on a spur of the Black Mountain, extending down to the Indus, about 150 footmen.

Chumb, a town and post at the extremity of a spur, about a mile from the Indus, and overlooking (within cannon shot) the Hussunzai village of Shurguri, which is situate entirely in the plain, about 300 men.

5. This would appear to be amply sufficient for the protection of the positions themselves, and indeed, the Umb authorities express no fear for the safety of their forts; but it does not render them strong enough to move out to a distance in face of an enemy who have the advantage of ground to protect the villages and hamlets scattered along the lower slopes of the Black Mountain.

6. The Umb Minister proposes a measure which he states will secure the threatened line entirely, the occupation, namely, of Kurluckeean in Agrore and Benuddur on the Indus, by our troops. You will see on reference to the district map, that these two places form the extremities of the Tunawul line, opposite the Black Mountain.

7. The Minister proposes that Benuddur should be strengthened by 100 of our new levies. It is a strong position on an eminence of the same spur as the fort of Chumberee, and supported by it. With this request I propose with your consent to comply.

8. The post of Kurluckeean the Minister proposes should be occupied by British troops. The place forms part of the province of Agrore, and if the troops could be spared, there is no doubt that it would be a very good position. It would hold the Hussunzai in check, for they would not venture on an extended movement towards the plain villages of Tunawul, cis-Oonâr, with a force in their rear prepared to cut them off. Moreover, the presence of a British force would have a salutary effect on the people of the Agrore Valley, and especially on their chief, Atta Mahomed Khan, whose conduct, as reported in my former letter, has not been satisfactory in this matter.

9. In the event of its not being practicable to detach British troops for the purpose, it might be advisable to locate a contingent at Kurluckeean for the present.

10. May I request the favour of early instructions on the above points, as I believe the report of the Hussunzai gathering to be correct.

11. I beg the favour of your returning me this letter after perusal, that I may take a rough copy. The prohibition against taking clerks into camp presses sorely upon me, as I am obliged to take copies of my letters in the midst of urgent calls upon my time.

Copy of a Letter, No. 158, dated 5th September 1863, from the Commissioner Peshawur, to the Deputy Commissioner, Huzara.

I beg to acknowledge the receipt of your letter, No. C, dated 4th instant, giving detailed report of the attack made by the Hussunzai tribe, on the hamlets in the Shoonglee Valley.

2. The movement, from a certain want of savageness in character, strikes me as a political one, intended either to give us the idea of a general movement in the hills against us, or to create some especial diversion.

3. I would beg you to watch the matter carefully with this last idea. It has been suggested by the Umb men themselves, that it is a diversion, effected with the hope of drawing off defenders from Umb; and the further gatherings you mention are likely to continue this evil, unless the Minister displays more sagacity than he has hitherto done in his military arrangements.

4. I have no objection to a party of 100 levies being placed at Benuddur, if they have a defensible position to protect, and if support can be given them from Chumberee.

5. I do not like the position of Kurluckeean; it is very isolated, and situated among

doubtful friends; while, from the accounts I receive of the country from Major Campbell, who has seen it, I think it probable that the idea entertained by the Umb authorities, that a force at Kurluckeean could act on the flank of an enemy, making an inroad into cis-Indus Tunawul, by penetrating the line of posts, is likely to prove fallacious, the communication between Agrore and the head of the open part of the Tunawul country being of the worst description in a military point of view.

6. The alternatives would appear to be to strengthen Shergurh with the Erborah Contingent, or place this force at Kurluckeean, sending a body of Puklee militia to Shergurh to strengthen the Tunawul party there. You are at liberty to adopt these measures at once.

7. If the Erborah levy goes to Shergurh, Atta Mahomed Khan, of Agrore, should be held answerable for Kurluckeean, and the portion of country it can influence.

8. I must again warn you not to weaken the defence of Umb for the needs of the Black Mountain border. Any men taken away must be supplied by new levies, which you are empowered to call out.

Foreign Department, Political—No. 621.

From the Secretary to the Government of India, with the Governor General, to the Secretary to the Government of the Punjab.

Sir,

With reference to your letter, No. 155, dated 7th September, regarding the state of affairs at Umb and the measures adopted for its protection, I am directed by his Excellency the Viceroy and Governor General to refer you to my letter, No. 585, dated 9th September, and to request that his Honor the Lieutenant Governor will lose no time in answering the call made therein for a report of the ulterior measures which the Punjab Government proposes in connexion with the hostile attitude of the tribes.

2. Orders will be issued from the Financial Department to pass, until further orders, 5,000 rupees a month for the levies referred to in paras. 6 and 7 of your letter.

I have, &c.
(signed) *H. M. Durand,*
Secretary to the Government of India,
with the Governor General.

Simla, 19 September 1863.

Political.—No. 696—335.

From the Secretary to the Government of the Punjab to the Secretary to the Government of India, Foreign Department, with the Governor General, dated Murree, 12 September 1863.

Sir,

In continuation of my letter, No. 683—155, dated 7th instant, I am directed to report that on the 3d September, the whole jirgahs* of the Jydoon tribe were reported to have started for Sittana with the avowed intention of requesting the Hindoostanees to retire to their old position at Mulka, otherwise that they would compel compliance by force of arms.

* Councils.

2. Mullick Esa, one of the Jydoon chiefs, was reported to have at first refused, but finally agreed to go to Sittana.

3. Great expectations, therefore, of some satisfactory action being at last taken by the Jydoons were raised by these reports, which have been suddenly falsified by the announcement of a sudden attempted night attack on the camp of the Guide Corps at Topee, which ended in a miserable failure.

4. Lieutenant Sandeman reports that near midnight of the 7th instant, a party of about 250 Hindoostanees and Otmanzais, headed by the Moulvie Abdoolla, came upon a patrol of one Duffadar and four Sowars, who attacked the foremost assailants and wounded two or three, one of whom, a Hindoostanee, was left on the ground, and died the next day. The Duffadar, seeing an apparently over-

powering

powering force coming on him, called out to the company to fall in. This was to create alarm. There were none nearer than the main camp. This so frightened the Hindoostanee fanatics that they precipitately fled.

5. It is said that in their party were two Jydoon Mullicks and Mullick Esa is said to have instigated the attack.

6. Though this attempt at attack ended in such contemptible failure, yet it sufficiently marks the offence of the Jydoon tribe to merit proper chastisement at the fitting time.

I have, &c.
(signed) *T. D. Forsyth*,
Officiating Secretary to the Government of the Punjab.

Political, Secret.—No. 699—156.

From the Secretary to Government, Punjab, to the Secretary to Government of India, Foreign Department, with the Governor General, dated Murree, 15 September 1863.

Sir,

I AM directed to acknowledge your letter, No. 585, dated 9th instant, calling for a confidential report on the important questions raised therein should his Honour the Lieutenant Governor consider that the conduct of the tribes on the Huzara Indus frontier is such as to impose on the British Government the necessity of having recourse to military operations.

2. In anticipation of this necessity, the Lieutenant Governor called upon the Commissioner, Peshawur, for a report, which I am now directed to submit for the information of his Excellency the Viceroy.

3. As the antecedents of the frontier tribes have been given in full detail in former despatches, as also in Colonel Taylor's and Major Coxe's letters herewith submitted, it will be necessary only in this letter briefly to summarise the events which have led to the present proposal for military operations.

4. The first occasion on which the British Government was brought into collision with the Huzara frontier tribes was in 1852, when an expeditionary force accompanied by Colonel Mackeson, the Commissioner, marched against the Hussunzais to call them to account for the murder of two English officers. On this occasion the Chief of Umb was supported by the British Government whose forces scaled the Black Mountain, burned the villages, and destroyed the enemy's grain. The Hussunzais were assisted by the Hindostanee Syuds of Sittana, who seized a fort belonging to the Umb Chief, but evacuated it on the approach of the British force.

5. From that time until the present, the Hussunzai tribe have not committed any overt act of offence against the British Government.

6. The annoyance of the Sittana fanatics in kidnapping and murdering petty traders and wayfarers, and also in rousing the bigotry of the surrounding Mahomedan tribes, rendered it necessary for an expedition to be sent against them in 1858.

7. On this occasion, arrangements were entered into with the Jydoon and Otmanzai tribes to exclude the Hindoostanee fanatics from the strip of country between the mountain range of Mahabun and the Indus. This arrangement was made to protect our traders and travellers from the sudden raid of the robber tribes.

8. But the subsequent reports show that the kidnapping of traders was carried on without intermission by the robbers' bands under the direction of these Syuds. And the offence of the Jydoons consisted in this: that while they abstained from aggressive acts, they assisted the Syuds to establish a band of robbers within the Sittana bounds, and allowed them free passage through their territory when proceeding on, and returning from their kidnapping and marauding expeditions.

9. In order to bring them to a sense of their responsibilities these tribes were blockaded till they consented, on the 2d October 1861, to enter into fresh engagements to exclude the Hindoostanee Syuds.

10. In 1862 the Deputy Commissioner, Huzara, reported that the terms accepted by the Jydoons had been repeatedly infringed, by their allowing the Syuds and robbers free passages through their territory. The Otmanzais, it was then reported, did not deny the infringement of their engagements, but pleaded inability to observe them.

11. As all attempts by moderate coercion to induce them to adhere to their promises had manifestly failed, his Honor the Lieutenant Governor proposed to the Supreme Government to inflict chastisement on the Syuds, and to force the surrounding tribes to submit to our demands.

It was not convenient however to the Supreme Government at the time to sanction this proposition.

12. Since then murders, attributed to the Hindoostanee Syuds, have been committed on our roads; and on the 5th July of this year it was reported that the Hindoostanees had re-occupied Sittana and the adjacent lands. Not only did the Jydoons and Otmanzais render no opposition, but some of them, at all events, actually invited their presence.

13. The colony which had been broken up in 1858 was openly re-established, small fortifications were erected, and every arrangement was made betokening settled occupation.

14. Fair warning was given to the tribes of the consequences that would ensue if they disregarded the treaty; every due consideration was shown them in the hope of their awakening to reason, and when no signs of repentance appeared recourse was had to blockade.

15. The conduct of the Hindoostanee Syuds has been marked by determined progressive steps towards hostility. They commenced by sending menacing messages to the Chief of Umb, calling upon him to renounce the alliance of the infidel English, and threatening to attack and destroy his town.

16. They have enlisted on their side the Hussunzais who had received assistance from them in 1852, and who now have commenced active aggression by burning some of the villages of our cis-Indus feudatory, and killing several of the Umb militia.

17. On the 7th September the Sittana Syuds committed an overt act of hostility by making an attempt at a night attack on the camp of the Guide Corps, in which one of the attacking party was killed and the rest fled.

18. It has been shown by the detailed reports that in this attack only a portion of the Jydoon tribe joined; and it is becoming more apparent each day as they apprehend the hour of retribution approaching, that portions of the tribes are very anxious for peace and would detach themselves from their more warlike brethren if they could.

19. From this rapid sketch of events on the frontier it will be observed by his Excellency the Viceroy, that, whereas hitherto the hostilities or provocations have been offered by detached tribes, now we have for the first time the majority, if not the whole, of the Huzara border tribes arrayed against the British Government.

20. The Lieutenant Governor is aware that by adopting a different policy he might possibly (though this is doubtful) even now for a time avert the necessity for a campaign by availing himself of the feuds and factions of the different tribes to sow discord in their councils, but it would be but to put off the day of reckoning a little further, which with these tribes is little understood, and might encourage other tribes to action, and it would be losing a favourable opportunity for putting an end to this chronic frontier irritation. That an expedition against these tribes will be forced on the British Government, sooner or later, appears to be inevitable. Condonation without chastisement would only be an inducement to these tribes to repeat their offences. Already Colonel Taylor

Taylor hints at a rumour of the Hindoostanee fanatics having made overtures to the Akhoond of Swat, which, if true, would produce a far more serious difficulty for us to grapple with.

21. Weighing all these considerations, then, the Honourable the Lieutenant Governor directs me to recommend that a military expedition be sent to compel the submission of the tribes, the expulsion of the Hindoostanee fanatics, and to demand guarantees for the preservation of peace towards our Government for the future.

22. In his Honor's opinion a force consisting of not less than 5,000 infantry, equipped with artillery, should start on this expedition not later than the 10th October, and, marching in two columns, should sweep the country on either side of the Mahabun range, mounting its heights, from whence they would command the whole country. The tribes should be then summoned to render submission, and enter into engagements for the future.

23. A portion of the force should then cross over the Indus, and proceed against the Hussunzais on the Black Mountain.

24. It is probable that the whole expedition will not last more than three weeks or a month, but it should start on the 10th October, or as soon after as possible; for the intense cold of the early winter, and possibly the fall of snow, would render marching amongst the mountains in the latter part of November injurious to our troops.

25. His Honor has fixed the number of infantry at 5,000, because it will be necessary to break them up into two columns, and because it is not yet known what opposition may not be rendered by the union of the tribes, and we must be prepared for whatever occurs.

26. Moreover, a strong force is much less likely to meet opposition than a smaller one would find.

27. It would be the duty of the civil officer who accompanies the expedition to discriminate carefully between those tribes who have as yet shown no signs of hostility, and those who, through fears of our approach, make professions of repentance. It would be politic to reward the former in some manner, so as to secure their future support, and to sow distrust, as it assuredly would do, between them and their offending neighbours.

28. The Jydoons, Otmanzais, Hussunzais, and perhaps other tribes, should be required to furnish hostages for the future fulfilment of their engagements, in addition to any other punishment by way of fine, &c., that may be inflicted upon them. The village of Mulka should be destroyed, and they should be bound not to admit the Hindoostanee colony within the confines of their territory.

29. The conduct of the Agrore chief, our feudatory, who is connected by marriage with the Hussunzais, is not at all satisfactory, and he too should be called to account for his weak support of the Tunawallee chief, although called on by us to render aid.

30. In Colonel Taylor the Government will have an officer on whose judgment full reliance can be placed for conducting our political arrangements with the tribes.

31. It will be an object to keep secret the collection of troops for an expedition, and to make all the arrangements quietly. But his Honor requests the very earliest intimation by telegraph of his Excellency's decision, as some corps will have to be summoned from the Derajat. On this subject a communication will be made in the Military Department.

I have, &c.
(signed) *T. D. Forsyth,*
Officiating Secretary to Government, Punjab.

Copy of a Letter from the Commissioner, Peshawur Division, to the Secretary to the Government, Punjab, No. 165, dated 11 September 1863.

In continuation of my letter No. 162 of the 9th inst., forwarding a map of the country of the tribes on the right and left banks of the Indus, which are at present in an unsettled state, owing to the machinations of the Syuds of Sittana and their followers, the Hindoostanee fanatics, I beg to report on the present position of affairs, and the measures which I deem absolutely necessary in order to vindicate our authority in this rather difficult tract of country.

2. I trust that the map I have supplied will enable his Honor the Lieutenant Governor to understand fully the nature of the country that has to be dealt with.

3. I have been at more pains to make this map practically useful from observing, in correspondence, that the plans and maps from time to time furnished by Major Adams and others have been transmitted in original to the Supreme Government, while in the district and division offices the same difficulty is found. I have been fortunate in obtaining from Major Coxe a rough pen sketch of the proceedings of the expedition against the tribes of the Black Mountain in the winter of 1852-3, but the plan is a very rough and meagre one, and the route of the columns is not easily traced from it.

4. I beg to refer to the following letters:—

The Punjtar and Sittana Expedition in 1858, Major Adams' Report in July 1862, and the Black Mountain Expedition in 1852-3, the basis of the present report.

I. Colonel Sir H. Edwardes, C. B., of the 14th May 1858, to your address, reporting the result of the operations of the force under Sir S. Cotton, K.C.B., in 1858, against Punjtar and the Sittana fanatics.

II. Major Adams, No. 469½, dated 28th July 1862, forwarded to you under cover of my No. 73, dated the 11th August 1862.

III. Lieutenant Colonel J. Mackeson's letter, No. 25, of the 12th January 1853, detailing his operations against the positions of the Hussunzai and Akazye tribes on the crest of the Black Mountain, to the address of the Board of Administration acknowledged in Mr. Secretary Melvill's No. 64, dated 26th January 1853. (This last letter is in my office; the report is not, and I request, if it be traced, that a copy may be sent to me.)

5. These three despatches, as detailing successful operations in the very tracts that are now disturbed, form a valuable basis for my present requisition.

Colonel Edwardes' Report of 1858. Appendix No. 1, page 189.

6. To Colonel Edwardes' Report I can safely refer his Honor for a clear and concise account of the progress and result of the first expedition against the Sittana fanatics, together with a detail of the arrangements entered into with the Jydoon and Otmanzai tribes, having for their object the future exclusion of the Syuds and their followers from the position they had previously occupied at Sittana, in the strip of land between the spurs of Mahabun and the Indus.

Major Adams' Report of 1862. Appendix No. 2, page 194.

7. Major Adams, No. 469½, dated 28th July, fully and clearly details the subsequent proceedings resulting from the engagements entered into by the Jydoon and Otmanzai tribes before Colonel Edwardes and Major Becher, and may be said to carry the story in full detail up to the end of July 1862.

Mr. Secretary Davies' Report of 1862.

8. I believe that, in reporting to Government at this time, his Honor caused an accurate summary of the history of the Sittana colony, from its first location in these parts up to August 1862, (for certain details affecting which the Secretary to Government, Mr. R. H. Davies, applied to the local officers at the time) to be drawn up and transmitted to the Supreme Government.

9. I have only, therefore, to take up the thread from August 1862, and recapitulate as briefly as may be the events and proceedings which have been reported in course of occurrence in my official letters since that time.

10. I have before noticed officially that from August 1862 to July 1863 we had enjoyed a remarkable immunity from the kidnapping practices carried on by a band of evil characters who act under orders of the Chief Syud, Mobaruck Shah, who is also a patron of the Hindoostanee band. Through the whole of the autumn of 1862, and the cold weather of 1862-63, no case occurred. In the spring, however, two murders were committed on our roads, which were attributed, I believe justly, to Mobaruck Shah. This peculiar crime of kidnapping Hindoo merchants, to obtain ransom from their relations, and murdering them when any unforeseen obstruction prevents their being carried across the river, the work as it has been of men from beyond the border, has clogged the annals of the Huzara district since our first occupation of the country, and had of course existed before, having been first originated, it is said, by the grandfather of the present Umb chief, when deprived of his cis-Indus lands by the Sikh Government. From the nature of the country, it has been found impossible to deal with it merely by protective police arrangements, and it is one of those crimes which nothing but pressure on the head and source of the offence will check. The men who send out these brigands, and those who harbour and give them passage through their

their lands in coming and going, must be reached and made to suffer, and then, and then alone, the evil activities of their emissaries will be checked.

11. For instance, after punishment of the Syuds and Hindoostanees in 1858, a long immunity was enjoyed from these incursions; and I attribute the comparative freedom we have enjoyed since the autumn of 1862 to the fact of an expedition having been projected against them, which no doubt reached their ears in some form.

12. I have noticed the subject, because I think it a worthy object for a beneficent Government to have in view to put a stop to this crime, affecting as it does a peaceful and industrious clan, who depend more entirely than others on the provision made by Government for their safety.

13. A trader lades his mules at one of our chief towns, and starts across country (though there have been extreme cases of the offence taking place in the high road) to a village he hopes to reach by nightfall. On the road, in some lonely spot, he is seized, gagged, and taken aside into the jungle or some mountain nook, and then kept close under drawn swords till dark, and then the whole party start by well-known, but unfrequented, tracks to the mountainous river-board. There, according to one of Major Adams' informants, the victim is inserted into an inflated skin (a process I should like to see), and, a brigand mounting on it, ferries it over. Whatever the plan adopted, the unfortunate is whisked across the Indus, and, when once over, is fairly safe till his relations pay up the required ransom. His danger lies in the day dawning, or other obstruction occurring, before the kidnapping party reach the Indus, in which case the encumbrance, in the shape of a gagged idolator, must be got rid of. They would let him go if they could afford it; but his tongue will needs wag, and describe locality and route, and perhaps recognise individuals, and so he is knocked on the head and thrown into a mountain crevice.

14. To account for the possibility of such crimes occurring there, the actors are bold men, and the motives are thirst for money for the actual needs of life, sharpened by hostility to us. I can only instance that it would take the whole of the Huzara force to search, though roughly, the one mountain, in front of where I write, in one day; and at the end of it they would be quite knocked up and useless. What hope, then, of a limited body of police being able to deal with a tract of country, a constant succession of similar mountains!

15. I do think that it is well worth the attention of Government, when opportunity offers, to take advantage of it, at the cost of trouble and expense, to reach the root of this evil.

July 1863. The Mulka Colony of fanatics descend again to Sittana.

16. After a period of considerable rest from annoyance, it was suddenly reported that the Mulka colony had moved down to Sittana.

17. My telegram of the 5th July to your address reported this; but it is probable that his Honor had been informed of the move before by the direct route from Huzara to Murree.

18. It was from the first mentioned that the Syuds and their followers descended with the consent and encouragement of the men of the Jydoon tribe, who were bound by engagements to us to prevent the Syuds from relocating themselves at Sittana, as fully explained in Col. Edwardes' and Major Adams' Reports, alluded to above.

Request made to reimpose blockad e.

19. My No. 127 of 9th July to your address forwarded copies of Major Coxe's Nos. 195–519 and 199–528 of the 3rd and 6th July respectively, which gave full details of the events attending the return of the Syuds to Sittana; and in my letter I requested permission at once to reimpose the blockade upon the Jydoon tribe if they failed to fulfil their engagement, as they had of course been immediately called upon to do both by Major Coxe on the Huzara side, and myself on the Eusufzai side.

Conduct of the Jydoons and Otmanzais.

20. With reference to the conduct of the Jydoons and Otmanzais, Major Coxe wrote in his report of the 6th July:—

"The Syuds, with their Hindoostanee followers, have occupied Sittana, the Upper and Lower Kyah, and are now reported to have surrounded Kubul.

"All this has been done without attempt at resistance by the Otmanzais, and, so far as I have yet heard, not a shot has been fired.

"This gives a strong probability to the reports which have reached me—that the Syuds came with their followers at the invitation of a party among the Otmanzais. I believe it will prove to be the fact that one party (of the Otmanzais) secretly solicited the aid of the Hindoostanees, and that the latter, profitting by the opportunity, and supported most probably by a large party among the Jydoons, have reoccupied Sittana."

21. The above views have been confirmed by all subsequent inquiry. The Otmanzais, a weak tribe, cut up by dissensions, were peculiarly liable to be taken advantage of in this way; and it was not to be hoped that, if the Syuds and their followers came down with the consent of the Jydoons, an efficient resistance would be made, and accordingly they did not fire a shot.

Mullick Esah and theMunsoorTuppah of the Jydoon.

22. The chief mover in favour of the Syuds' cause among the Jydoons is Mullick Esah

Esah of the Munsoor Tuppah, and the whole of that Tuppah has ranged itself under the leadership of this Mullick.

The Salar Tuppah.

23. The Salar Tuppah of the Jydoon has all along professed to be opposed to the movement; they are undoubtedly better disposed than the other division of the tribe. But they took no active measures to prevent the return of the Syuds and fanatics, and their plea of helplessness could not be admitted.

The Jydoon Jirgah comes in to Lieut. Sandeman in Eusufzai.

24. In answer to the summons conveyed to the Jydoon Mullicks from the Eusufzai side, through Lieutenant Sandeman, Assistant Commissioner, the following Mullicks came into that officer at Nowa Killa, in Eusufzai:—

Salar Tuppah, Mullicks of the village of Gundup.	Massim Khan, Nawab Lotah Khan, Khan Zeman, and Khaleh Khan.
Ditto of Mulka Khuddee	Shahzada, Jungbaz, Fyzoolla.
Munsoor Tuppah	Esah Khan, Hashim Alli, Ajiboolah, Meer Khan, Gholam Shah, Willayut Khan, Futteh Khan, Nuzzuroollah Khan, Eusuf Khan, and Mousah Khan.

25. In a demi-official letter of the 28th July, Lieutenant Sandeman wrote with regard to the Jydoons:—

"The upper villages make no secret of having joined the Hindoostanees, saying they never agreed to the former arrangements. What have the English to do with Sittana? In fact, Mobaruck Shah, by arguments and bribes, has got the whole Munsoor Tuppah in his favour; and I am sorry to say Mullick Esah Khan, of Beesuk, seems also to have joined the others, besides many of the chiefs of the lower Tuppah are quite in favour of the Syuds."

26. Lieutenant Sandeman wrote—"On their coming before me, I asked if they represented the full Jirgah of the tribe, and they stated they did, and were almost the same as those who made the agreement in 1858. A few were dead, and others who were absent were represented by brothers and other near relatives."

27. "I directed that the written promise made on the 9th May 1858 (renewed in 1861) be read to them, and after leaving it for them to state whether or no that was the written agreement they had entered into with the Government. After hearing the paper, they stated unanimously that the promise had been made, and that they had never broken it. Mullick Esah, of Tuppah Munsoor, and of the village of Beesuk, then said, 'We made the promise to the Sirkar, and have never departed from it, and it was never our intention to do so. The Otmanzai, consisting of the several villages of Khubbul, and the villages of Kyah, have broken faith with us and the Government, and the Hindoostanees returning to Sittana was caused by them; the Otmanzais are all to blame, and not the Jydoons.'"

Lieut Sandeman's opinion on the bearing of the Jirgah.

28. Lieutenant Sandeman, after reporting this interview, recorded the following opinion:—"I cannot help feeling that their conduct is guided by a belief that they will not be held to their agreement, and that they and the Otmanzai will be able to play off the one against the other. The Jydoons saying it is not their fault, and I fancy the Otmanzais, if asked, will in their turn accuse the Jydoons in the same way."

29. The above view was quite correct at the time the excuses were made; Mullick Esah was in fact hand and glove with the Syuds, and had no intention whatever of complying with the Government demands. This was sufficiently proved by the whole of the Munsoor Tuppah Jirgah failing to present themselves at Hurripore when summoned thither by me. The Salar Jirgah came in as reported in my Letter, No. , dated 29th July 1863. With the same letter I sent you a very succinct and clear account of the position of affairs, drawn up by Major Coxe, and communicated in his Letter, No. 206, of 11th July.

The Salars allowed 11 days' grace at their earnest request to bring in the Munsoor.

I also subsequently reported that I had allowed the Salar Tuppah eleven days' grace before the imposition of the blockade, to bring round the Munsoors, if they could, as they earnestly requested it.

30. I had previously received your letter, pencil, No. 28, dated 15th July, conveying his Honor the Lieutenant-Governor's sanction to the reimposition of the blockade of the Jydoon tribe, which had been taken off in the beginning of 1862, and in it I was directed to report the measures I would recommend for carrying out the blockade. To this portion of your letter in question I replied by forwarding with my letter of 29th July a copy of my Letter No. 132, of the 24th idem, to the address of the Brigadier-General commanding the Punjab Irregular Force, in which the arrangements I recommended were fully detailed.

Supreme Government acknowledges report of the descent of the fanatics.

31. On the 31st July I received your letter, pencil, No. 16, of 28th July, forwarding copy of your Letter No. 25, of 9th July 1863, to the address of the Secretary to the Government of India, Foreign Department, and also copy of the reply of the Supreme Government, contained in No. 438 of the 21st July 1863, from the Under Secretary to the Government of India, Foreign Department, with the Governor General, to your address, directing that the conduct of the fanatics should be watched and reported on, and also that of any tribes that might assist them.

32. From

Umb, an anxiety.

32. From the very first the position of Umb, the capital (it must be dignified with the name, though but a poor place) of the country of the chief of that name, became an anxiety. The chief portion of the Umb territory is Cis Indus. Across the river, however, he holds a strip of country extending from Sittana, a small village above Umb and opposite the old Sikh post of Goomtee (*see* map accompanying), to Ushra, about three miles below Umb. This strip of territory is also about three miles deep as the crow flies, on a low, sandy bit of ground (*see* map) close to the water's edge. In a narrow strip of land, between a rough chain of hills, running parallel to the river and the Indus itself, is situated the town of Umb. For a town in such a country, held by a chief who was constantly at feud with his neighbours, it is singularly unprotected: there is no attempt at a town wall, not even by joining the walls of houses and court-yards on the internal line. There is one small tower in the middle of the town capable of holding 10 or 15 men; and there is what is dignified by the name of a fort, but it is a very poor place, and so choked up with houses inside that it would be impossible for men on an alarm to move from one point to another.

General Chamberlain and Government consulted regarding Umb.

33. Being extremely anxious about Umb, I addressed his Honor the Lieutenant Governor demi-officially on the subject.* These two communications gave rise to your letter, pencil, No. 35, of 18 July 1863, to the address of the Secretary to the Government of India, Foreign Department.

Supreme Government approves of the measures taken for the protection of Umb.

34. The Supreme Government affirmed the principle that the territories of the Umb Chief should be protected from invasion by us, by sanctioning and approving the measures taken for the protection of Umb in the telegram of the Secretary to the Government of India, Foreign Department, with the Governor General, No. 274, dated 20 August; also in Letter, No. 516, of 19 August to your address.

35. The remainder of my official letters have chiefly related to the arrangements necessary not only for carrying out the blockade, but also for assuming a firm attitude of defence on the Eusufzai border in front of Sittanah itself at Umb, and on the Cis Indus or Hussunzai border of the Umb territory.

36. Acting under the general instructions of the Brigadier General Commanding the Punjab Irregular Force, every arrangement has been carried out with celerity and precision; and I feel grateful for the cordial alacrity with which all my requisitions and suggestions have been met.

Colonel Wilde, C.B., moves out to the Jydoon border.

37. In Eusufzai Lieutenant Colonel Wilde moved out strong detachments to Topee, on the representations of the Assistant Commissioner, Lieutenant Sandeman, and before my requisition based on the same report reached him. Colonel Wilde has subsequently greatly strengthened his border in front of the Jydoons, which was certainly necessary under the increased dimensions of the difficulty.

Militia and levies called out.

38. I have reported from time to time on the bodies of militia and country levies it has been found necessary to call into the field to protect Umb and the extended line threatened; their numbers, however, in all, are not in excess of a regiment of infantry, about half being only on subsistence pay.

1st Punjab Infantry and Huzara Mountain Train moved down to Kirplean.

39. The 1st Punjab Infantry and Huzara Mountain Train, with 50 sabres of the 5th Punjab Cavalry, have now been moved down to Kirplean, nearly opposite Umb. This completes the arrangements for the protection of our own and our feudatory's territory, and I feel a strong conviction that it will not be necessary to move more troops to the border. Should I be mistaken, however, we have the 5th Goorkhas and a 2d Mountain Train at Sherwan, another 50 sabres of the 5th Punjab Cavalry in Abbottabad, and a troop of the 13th Bengal Cavalry in Hurripore in reserve, besides Her Majesty's 101st at Abbottabad, and two companies of the 4th Sikhs in the fort of Murdan.

Reserves.

40. In the map I was anxious to enter the standing camps and routes of corps as noted in sketches of former expeditions; I therefore could not enter the present detachments employed without creating confusion.

Detail of detachments in the field.

41. The nature of our position will, however, be easily understood by a reference to the plan, and a perusal of the following description:—

42. I commence from the most eastern post of Cis Indus, Umb, adjoining the Agrore territory, and proceed in order down the line.

The reserves or 2d line at Sherwan, Abbottabad, Hurripore, and Murdan, have been previously detailed.

DETAIL

* Sending my letter through Sir Neville Chamberlain, requesting him to give his Honor his views also on the subject.

DETAIL.

Shergurh - - - - -	These four posts are on the Hussunzai border of the Umb territory, and are held by the Umb troops - -	Left bank.
Shoonglee - - - - -		
Chumbheree - - - - -		
Chumba - - - - -		
Durbund - - - - -	Fifty police and Jageerdaree horse, and 100 foot levies - - -	
Umb - - - - - -	Umb horse, 150 - - - -	Right bank.
	Umb foot, 300 - - - - -	
	Huzara levies, under a brother of Meer Zuman Khan, 135 - -	
Kirplean - - - - - -	1st Punjab Infantry - - -	Left bank.
	Huzara Mountain Train - - -	
	50 Sabres, 5th Punjab Cavalry - -	
	50 Police, foot, over the boats - -	
Nowah Giran, not marked in my map, about half way between Lalloo Gullee and Towie - - - -	85 Foot levies - - - - -	
Towie - - - - - -	37 Police and levies - - -	
Khanpore - - - - -	55 Huzara levies - - - -	
Torbelah - - - - -	1 Company 5th Ghoorkas - -	
Dulmohut, not marked on my map. *See* Huzara map between Torbelah and Ghazee - - - - -	20 Police, over the boats - - -	
Topee, 300 Infantry - - -	Guide Corps - - - - -	Right bank.
„ 150 Cavalry - - - -		
Swabee Maneyree - - - -	Head quarters of Guide Corps, two 9-pounders - - - - -	

The Assistant Commissioner in Eusufzai has also 35 horse police and jageerdaree, and 100 foot police at his disposal; these are distributed in the smaller villages along the troubled portion of the border.

Conduct and attitude of the enemy.

42. I have only to mention the enemy's attitude and conduct, and may then pass to the political aspect of the case.

Hindostanee fanatics.

43. Although the numbers I am about to state have been and are constantly exaggerated by spies and secret well-wishers of the Syuds and their movement, I do not believe the number of fighting men among the Hindoostanees to exceed 700, but say 1,000 men; only a proportion of these are properly armed. They are drilled to a certain extent, but more for show, and to make an imposing report in the country, than to any practical purpose. They are reported to have two guns, made by a clever blacksmith, among them; but as these have not been displayed or fired before our detachments, I am inclined to think that they have gone wrong in some way. They have, however, a good number of zumbooruks, with which they imitate a cannonade on occasions, and about 30 cavalry.

Munsoor Jydoons.

44. Of the Jydoons, as I have mentioned, the Munsoor Tuppah, reckoned at 1,500 men, may be looked upon as allied to the Syud's cause, though they are really but half-hearted in the matter.

Salar Jydoons.

45. The other Jydoon Tuppah of Salar number 1,300 men. These will also be opposed to us, as the whole tribe are committed by having allowed the return of the Syuds and fanatics to Sittana; but they are not likely to engage actively against us till we invade their country, as they have no real sympathy with the cause which the Munsoor Tuppah has adopted more strongly. Below the Jydoons, and between them and the river, lie the villages of Otmanzai tribe, equally implicated with the Jydoons in allowing the return of the fanatics; but four of the principal Mullicks immediately crossed, and took refuge with us, and they are altogether less to blame in the matter.

Amazai tribe.

46. Above the Jydoons, as will be seen by the map, come the Amazai tribe, 1,500 men. With the Amazai we have no further quarrel than that Mulkah, the asylum which the Syuds and Hindoostanees found after being driven from Sittanah, is situated in the Amazai land. Mulkah subsequently became a considerable cantonment, and we should of course assume the right to visit it, and destroy the building and lodgment made by this, to us, decided hostile hand; beyond this there is no necessity for our meddling with the Amazai if they let us alone; especially as a large section of the tribe under the Chief Mullick Mousah Khan are on friendly terms with our feudatory the Umb chief.

Mudakhail tribe.

47. Above the Amazai come the Mudakhail; this is a large tribe rated at 4,000 men, but their position is removed from our border, and the scene of proposed operations; there is no necessity of our coming in contact with them. It is possible, however, as they are described

described as rather an ill-conditioned tribe, with no marked leaders, that sections of it may commit themselves by aiding those whom we attack; if, however, we defeat those who meet us on the field, our following into their country to inflict further punishment will remain quite an optional matter.

48. As my own acquaintance with the Amazai, Mudakhail, and Hussunzai tribes was small, I called on Major Coxe for a report on them, which he has furnished, and a copy is appended to this report.

49. My own belief is, that if we work on the Jydoons and Hindoostanees in force, the Amazai and Mudakhail will hold aloof, in which case there is no necessity for our having anything to say to them; but of course we must go in sufficient strength to be able to deal with all if necessity should occur.

Hussunzai tribe.

50. Above the Mudakhail, and still on the right bank, come the trans-Indus Hussunzais of the same family as those of the Black Mountains, and then crossing the river to the left bank we come to the main clan of the Hussunzais, rated at 2,000 men, and with them are associated the Akazyes, 1,000 men, who do not however always fight with them.

51. A full description of our previous relations with the Hussunzyes, and of the origin of their quarrel with Jehandad Khan of Umb, father of the present chief, will be found in Major Coxe's report appended. I will not transcribe it, but merely note that the conduct of the tribe has never been very satisfactory, and we have had to temporize and bear a good deal. Still as their dealings were entirely with tracts, which we have not had under immediate government control, such as the Agrore Valley, and the Umb Chief's patrimonial estate, the Agrore Chief being related by marriage to the Chief Mullick of the Hussunzai tribe, and the Umb Chief being an enemy to them, and carefully on his guard, matters have been in a fair, healthy state, we compounding for some irregularity and disquiet for the advantage of having a difficult corner managed by a semi-independent chief connected with the tribe in front of him. I do not like the style of thing myself, but it is one of those arrangements that one is inclined to let last as long as it will work. But as I reported to you for his Honor the Lieutenant Governor's information, in my Letters, No. 152, of the 31st August, and No. 159 of the 5th September 1863, the Hussunzai tribe instigated, it is supposed, by the emissaries of the Moulvee of Sittanah (who is the chief mover in matters of war, keeping up a large correspondence with surrounding tribes and more distant supporters, or affecting to, which is quite sufficient in these parts, if the object is to gull the surrounding Mahomedan peasantry), but some do not hesitate to say, incited to the movement by the Agrore Chief, who is hostile to the ruler of Umb, made an unprovoked attack on a nest of hamlets, rather than villages, in the little Shoonglee Valley of the Black Mountain, in which the most advanced outpost of the Umb territory is situated. The fort was not molested, but some six or seven hamlets were destroyed, and one man who resisted killed.

Attack made by the Hussunzais on the villages in the Shoonglee valley.

52. Since this the Hussunzai appeared at one time to threaten an attack on Chumberee, and a portion of the Mudakhail crossed the Indus with the intention of assisting; but the frontier line having been greatly strengthened by the Umb authorities, the gathering broke up, the Mudakhail recrossed the Indus, and the Hussunzai have not lately shown an inclination to renew hostilities.

Attack by the Hussunzais on Umb border met by Muddud Khan's levies.

53. I had written the above when I received a report from Major Coxe to the effect that an attack has been made by the Hussunzais on the Umb troops, on the Black Mountain border, on which the militia levy of Muddud Khan, the second Tunaolee Chief, appears to have been particularly assailed, and to have suffered severely; one Jemadar and seven men are reported killed, and six wounded, and other casualties among the levies are alluded to, so there can be little doubt of the hostile attitude of the Hussunzai tribe, and the necessity of taking active measures against them.

Hostile spirit of the fanatic leaders; letter to the Umb chief.

54. My Letter, No. 136, of the 10th August, with its enclosures, conveyed to his Honor a thorough knowledge of the bitter spirit of hostility in which the Syuds and Moulvee Abdoollah, with their Hindoostanee followers, are acting as regards us.

55. A second letter of a similar character was addressed to the Umb Chief, but only signed by Moulvee Abdoollah, the War Minister of the Colony, and its tenor was so much the same as that of the former letter, that I did not think it necessary to forward it; suffice it, that the leaders of the colony expressly declare that they are embarked in determined opposition to the infidel, and call upon all good Moosulmans to quit the friendship of the unbelieving, and join the would-be martyrs of the faith.

Intended attack of Moulvee Abdoollah and the fanatics on Topee.

56. Their hostility has not been confined to words, salutes, and parades, as you will have seen by my Letters Nos. 161 of the 9th, and 163 of the 10th September, reporting that Moulvee Abdoollah with his Hindoostanees, and accompanied, it is said, by Mullick Esah Jydoon, formed the intention, on the night of the 7th September, of attacking the Guide Force at Topee. The expedition had arrived within a short distance of the camp, when they came upon a cavalry patrol of one Duffadar and four Sowars of the Guide Corps. The Duffadar had been previously warned of the neighbourhood of a body of men, and coming on an advanced party he immediately, in the spirit that has always been displayed by his regiment, attacked them; one man was cut down, and the rest rushing back on the main body appear to have communicated a panic, which sent the whole body to the rear in disgraceful flight. I may mention that this attack appears to have originated in a deputation of the Jydoon clan having

gone to the Syuds and Molvee with the avowed intention of insisting on their retiring to Mulkah. The object of the attack which was suddenly planned, was no doubt to strike a blow to raise their prestige, and possibly to commit the Jydoons irrevocably with Government.

57. Since this I have heard that the Hindoostanees have established a breastwork in front of our levy picketed at Nowah Giran, and that we fire across the river at them.

58. I need say no more regarding the hostile *animus* displayed by the Syuds and their colony.

59. Having written the whole story of our present position so fully, I feel it unnecessary to write at great length on the policy that it points out.

Policy.

60. The Jydoons, contrary to express agreements which they themselves acknowledge, but try to evade with an excuse of want of power to fulfil, which every peasent in the country knows to be false, have, in defiance or indifference regarding our displeasure, permitted, if not encouraged, the fanatic colony to return from Mulka to their former position at Sittanah. Unless the flagrant contempt of our power be visited upon them, we must not only lose authority and influence on the border, but it will be very certain to be visited upon us in a tangible form by other instances of open violation of agreements, aggression on our borders, and general contempt of our authority, which will force war on us most probably under less advantageous circumstances than those with which it may be now engaged in.

Jydoons, the chief offenders.

61. The Jydoons are the head and front of the offence; without their acquiescence the Mulkah colony could never have moved, and Mullik Esah, the Chief Mullik of the Munsoor Tuppah, is the chief friend and adviser of the warlike Moolvee, and accompanied him on his late expedition against Topee.

The tribe is also reputed a strong one and worth our attention.

The Salar Tuppah may possibly be treated differently from the Munsoor.

62. It is possible that should the conduct of the Salar Tuppah of the Jydoons continue to bear signs of friendliness, I may at the last recommend that they be detached from the Munsoors, and their men and property be treated differently; it would remain, then, to make a severe example of the Munsoors, and not of the whole tribe, and the effect would be fully sufficient to deter them from again admitting the fanatics to a spot from which their expressed will can always exclude them.

63. Under ordinary circumstances, and perhaps if I had heard at a distance of the policy pursued by Colonel Edwardes in striving to control the position that a body of men should occupy beyond our border, I should have thought it unadvisable as likely to force us into military operations, whether we wish it or not, when an infringement takes place; and had this colony of fanatics shown any inclination to conduct themselves moderately, I might still have been of that opinion, but seeing their outrageous conduct since their return, and having seen the site from which Colonel Edwardes' measures were intended to exclude them, I have quite dismissed from my mind any doubt of the wisdom of the policy in this instance.

The policy of keeping the fanatic colony at a distance, a wise one.

64. To allow them to sit at Sittanah is to afford them a position where they can enjoy a hill and plain climate at will, drill troops, and raise a cavalry, all within sight of our police posts; and, what is far more important, a position from which they can at will communicate with and influence the surrounding tribes, many of them our subjects, the influence alluded to being, as demonstrated by their own acts and writings, one of a bitterly hostile character to us. The very fact of their being driven within the first curtain of the hills affects their prestige; it is known they would not stay in an inclement climate and confined position if they could help it, and therefore their name and fame must suffer.

We shall not eradicate this colony, but by our power over our immediate neighbours we shall be able effectually to keep it at a distance.

65. I have said that I believe the Amazai and Mudakhail will hold aloof, in which case we shall have no quarrel with them; if it should prove otherwise, we must, if we find it feasible, enter their country, and make them suffer for meddling with us. I should not consider that we were bound to do this because a portion of the tribe joined our enemies on a day of battle. This is always done in a hill fight. The kind of offence that we have to deal with, is aggression on our frontier or that of our allies and dependents.

The Hussunzais must be stringently dealt with.

65. Events point to the absolute necessity of engaging in retaliatory measures against the Hussunzais of the Black Mountain; their aggressions on the territories of our feudatory have been most unprovoked and wanton, and by the report received to-day, above-mentioned, fortune has so far favoured them that they have been enabled to inflict severe loss on a body of his dependents or those of his brother chief in arms to protect their master's possessions.

66. The Hussunzais must be called to account for these things; reparation they will have none to give that we can accept; there is no other measure than retaliation upon their tribesmen and properties, which will adjust the balance; yesterday it seemed otherwise; the aggression they had made had more the air of a political or religious demonstration of sympathy with the Sittanah movement, and it might have been arranged by reparation in money or property; but the character of this last attack appears to have been worse; we must therefore accept the full difficulty as it stands.

Assembly of a force recommended.

67. I have therefore to recommend that an expeditionary force of sufficient strength and fully equipped for hill warfare may be assembled in Eusufzai, say at the present position of the head-quarters of the guide corps at Swabee Maneyree.

68. I think

68. I think the force should consist of 4,000 infantry, 1,000 cavalry, and a sufficient complement of artillery and mountain trains. Amount of force.

69. A large amount of mule carriage should be provided, and the European troops employed should be provided with pals only, as it is probable that in the march from the Eusufzai plain to the head of the Jydoon country, and from thence down upon Sittanah, only the lightest description of tents could be carried, and the same in the Black Mountain; it might, of course, be done by bivouacking, as the Jydoon affair would not take more than four or five days, but it would be better if we could encamp at some commanding spot and work deliberately. Mule carriage desirable.

70. The large tents could, however, move round by Khubbul and Kyah, to the Sittanah Plain, and meet the force, and from thence be ferried over and pass up to the open ground above Durbund (*see* map), and form a camp there, from whence to operate against the Black Mountain. Camel carriage can also be used.

71. The force should assemble, if possible, early in October, and enter the hills by the 10th or 15th of that month; the moon should be taken advantage of, and, I find, that the new moon is on the 12th of October, and the full moon on the 26th idem. Time of assembly. The moon.

72. The hill crops ripen about the 15th of October; those of the lower parts, about the villages of Beesuk and Gundup would be cut, and the Kurbee stacked about the same time. Being ripe about the end of this month, there would be no lack of forage for the animals, even later, as the villagers cannot remove their Kurbee stacks on short notice. October, unfortunately, is an unhealthy month in the Peshawur Valley, but the excitement of service will prevent any ill effects, and the Europeans should not be moved out to Swabee Maneyree till a short time before the final movement. Crops ripen.

73. Large depôts of supplies must be formed at Murdan and Kirplean. Supplies.

74. The Jydoons must be called upon to turn out the Hindoostanees, come in and pay a heavy fine for all the trouble they have given, failing their doing this, their villages must be destroyed. If we decide on dealing more leniently with the Salar Tuppah, and I am in favour of making distinctions according to conduct, their possessions may be favoured and spared. The villages of the Jydoons, as will be seen by the map, are very numerous; it would probably be sufficient lesson to select the Munsoor villages for punishment. Descending from the Jydoon country into the Sittanah lands, the village of Mundee, and all the buildings of the fanatics, must be destroyed; the Otmanzai tribe, whose possessions lie in the strip of country from Khubbul to Mundee, must also be dealt with as may appear necessary; their offence is not so great as that of the Jydoons, because their power to resist was less, and they may probably be spared on the payment of a fine. Objects of the expedition.

75. It probably will be found advisable that the column marching through the hills be met on descending from Sittanah, either by a column marching *viâ* Topee, Kyawul, Khubbul, and Kyah (*see* map), or by a column crossing from the left bank at or near Rorgurh, *see* position of Major Becher's force on former occasion in the map. Second column to meet the hill column *viâ* Khubbul.

76. The force would then cross and ascend to the Upper Tunawul country; it will remain then to judge whether any terms can be offered to the Hussunzai or not. If not, or if terms offered are refused, their position must be forced and their villages must be visited. Treatment of Hussunzai tribe.

77. For these we at present depend on the expedition of 1852-53 for the Black Mountain, and on that of 1858 for the ascent of the southern spurs of the Mahabun Mountain. That a force, accompanied by a 24-pounder howitzer and cavalry, was able to ascend to Mungul Thanah on one of the main shoulders of the Mahabun, from whence Colonel Edwardes wrote that he ascertained that two marches would take him, by a practicable but bad road, to Sittanah across the hills, sufficiently demonstrates the feasibility of marching to the head of the Jydoon country, either direct from Topee, *viâ* Beesuk, &c., or by following the route of the expedition of 1858 to Mungul Thanah, and from thence working across. Routes to be taken.

It will be seen from my map that nothing remains but to work in the various routes, and no pains will be spared in doing this in the month that intervenes.

In the case of the Black Mountain, we have one great advantage in the Umb outposts being actually high up and near the crest on the southern side of the mountain, thus giving us a good base to act on, and, it appears to me, that we ought to spare no pains to prevent these outposts falling into the hands of the Hussunzai in the interim. If embarked in thorough-going hostility, they must be bad strategists if they do not make every exertion to master them.

78. Major Coxe has alluded to the unsatisfactory conduct of Atta Mahomed Khan, of Agrore: it is indeed open to grave suspicion, but I reserve my judgment on it. Major Coxe is the more disappointed as he had treated him with great consideration, had decided two cases for him that had been pending since Major Abbott's time, and from his tone and conduct had begun to think well of him. I think it probable that I may have to request leave to tell him that his tenure of Agrore hangs on the safety of the Umb posts on the right flank, viz., Shoonglee and Sheregurh. I consult Major Coxe this day whether it is not quite fair to hold him responsible in this way. Atta Mahomed Khan, of Agrore.

79. I believe I have noticed all important points. I trust that this report will be found practical. I have striven to make it so.

80. I pray that God's blessing may be in our counsels. If I have written strongly for war, it is under a deep conviction that an avoidance of it would be likely to involve us in far more serious difficulties. At present we have our work within compass, and a vindication of our authority, by the punishment of the present offenders, will keep down others; but delay to punish, and I cannot answer for the consequences. Already there are rumours of a coalition between the Syuds of Sittanah and the Akhoond of Swat, hitherto at variance. This is said (but I have it as yet only as a rumour) to have been brought about by a declaration on the part of the Syuds and fanatics that they are not Wahabees. This event, if true, will cause far more stir and excitement in the hills and among Mahomedans generally than the real fact is worth. I only mention it here, as I wish to put all my own knowledge before the Government. The report may not prove true, but should it not, it is only one of the many disturbing reports we shall have if this colony of religious mountebanks is allowed to retain its present position, fire at our police chowkies, and flaunt its standards before our troops.

Copy of a Letter, No. B, dated 2 September 1863, from Deputy Commissioner, Huzara, to Commissioner and Superintendent Peshawur Division.

1. In continuation of my letter of 31 August, I have the honour in compliance with your verbal instructions to report upon the Northern Puthan tribes, who may be supposed to be connected with any movement affecting the province of Umb and Tunawul, Cis and Trans Indus.

2. As noted in my former letter, the materials for furnishing a complete report on those tribes are not to be found in this office. I have availed myself of such as were forthcoming and have filled up the blanks with native information.

3. I append a memorandum extracted from Colonel Abbott's report on the expedition to the Black Mountain in 1852, but this treats only of the Hussunzai.

4. In furnishing a sketch of the Puthan tribes, it will be best perhaps to take them in geographical order commencing with the Amazai, whose border marches to the southward with the Jydoon and Otmanzai, regarding which tribes full reports have already been furnished.

5. The Amazai border Trans Indus meets the Jydoon country at Burgullee, which you will find in the Peshawar district map, a little to the north-east of Ghubonee, a small stream which falls into the Indus at Ushra, divides the two tribes on the north and south, while to the eastward the village of Sherburtie, nominally under Tunawul management, forms the boundary of the Amazai and Umb in that quarter. The Amazai border continues parallel with the course of the river from opposite Burgullee to Bhetgullee, including the village of Pheroosa in its course. At Bhetgullee it meets the Muda Khail boundary, and thence appears to take a northerly or south-easterly direction over the Mahabun Mountain, and comprising several villages on its western slopes; Mulkah and Muggree are both stated to belong to the Amazai, and my informant tells me that their limit reaches as far as "Cherorai" on the River "Brind," (*vide* Peshawur map), where it again meets the Muda Khail line. From this it would appear that the greater portion of the Mahabun range from the spur, which abuts on the Indus below Ushra, to its northern extremity touching the "Brind" river is in the hands of the Amazai.

6. The connection of this tribe with the Umb Chief has, in the main, been of a favourable character. The village of Bhetgullee was bestowed by the present Khan's grandfather on the Amazai in gift; and, so far as I at present gather, the relations of the tribe with the Umb party have been uniformly friendly and faithful. A dispute occurred some short time ago between two parties of the Amazai, regarding the [Blank in orig.] of Bhetgullee, in which the Umb Minister ill advisedly interfered, and thereby created a hostile feeling towards him on the part of a portion of the tribe. The circumstances were reported in my letter, No. $\frac{100}{307}$, dated 27 April 1863.

7. The most influential person of the Amazai is Mouza Khan, who has to the present time been uniformly favourable to the Umb party, and is highly spoken of by them as a chief great in council and action—a paragon among Pathan notables. The Umb Minister stated to me some time ago his suspicions that the Hindoostanees were trying to tamper with Mouza Khan; but, as I have heard nothing further on the subject, I hope his suspicions may have been groundless.

8. The Amazai are said to muster 1,500 fighting men, and have the character of being brave soldiers. In any operations having the Mahabun Mountains for their object, we should necessarily be brought in contact with the Amazai.

9. The tribe next in order is the Muda Khail. These join the Amazai, as above noted, near Bhetkullee to the southward. Their line proceeds north, parallel with the Indus as far as

as Munjakote to the north of the Brind river (*vide* Peshawur map), where they meet the Hussunzai border. As regards Umb the eastern border of the Muda Khail is joined by the range of hills which runs parallel with the Indus in front of Umb, and they meet the Umb frontier between the villages of Kyum and Sittanah (*vide* Huzara map), the former belonging to the Muda Khail, and the latter to Umb. These two villages are described as nearly opposite Goomtie, in Cis Indus, Tunawul. The Muda Khail have no lands in Cis Indus.

10. There is no person remarkable for character in this clan like Mouza Khan amoug the Amazai, and the tribe is more split up into factions than the Amazai. The men I have heard most named are, Kumza Khan, of Mahabarah, and Syud Kulam of Munjakote.

11. The Muda Khail are said to muster 4,000 fighting men ; except by their own act, there would be no necessity for our coming in contact with this tribe in any movement towards Mount Mahabun.

12. There is a considerable party among the Muda Khail favourable to the Umb Chief, but not the majority; and I gather from the manner in which the Minister speaks of them, that he has little faith in any of the tribe.

13. I have now to notice the Hussunzai, the most important tribe connected with Umb interests. Their Trans-Indus geography may be safely disposed of by stating that they meet the Muda Khail border on the south above Munjakote, and join the Akazye to the northward. Cis Indus the first point at which they meet the Tunawul territory is Shingurie. This is described as close to the river bank at the foot of one of the spurs of the Black Mountain, on the slopes of which is situated the Tunawul Fort of Chumberee, which latter would afford a strong position for retaliatory measures by the Tunawul people. From Shingurie the boundary ascends the slopes of the Black Mountain, the crests of which are in the hands of the Hussunzai, and a strong vantage ground for the conduct of predatory incursions on the Tunawul lands below them. Proceeding south-east the Hussunzai country marches with our province of Agrore, their connexion with which will be noticed hereafter.

14. The relations between the Hussunzai and the Umb Chief appear to have been of a tolerably friendly nature up to the time of the Messrs. Carne and Tapp's murder, on which occasion, as noted in the accompanying memorandum, Jehandad Khan, the late Chief of Umb, seized some 60 men of the Hussunzai tribe, and detained them as hostages; some of their number dying, I believe, while in confinement. Since that time the party of the Hussunzai, to which the principal of the murderers, Ameer Alli belonged, have continued at little enmity with the Tunawullees, and have on several occasions attempted to maraud and plunder in Tunawul limits; but the other branches of the tribe have not, so far as I am aware, up to the present occasion, evinced a hostile feeling to the Tunawul Chief.

15. The Chief Khan of the Hussunzai is Hussun Alli, whose daughter is married to our feudatory Atta Mahomed Khan of Agrore. Hussun Alli Khan's son, Khubool Khan is said to have organized the predatory incursion upon the Tunawul hamlets near Shoonglee.

16. But, beside the secular chieftain, there is a religious head among the Hussunzai, known as the Hajie Sahib. This personage bears a high reputation for sanctity, and is considered also to have equal pretensions to worldly wisdom and management. He is much resorted to by the neighbouring Pathans for counsel in both capacities.

17. The only occasion in which the Hussunzai have come into direct collision with the Government, I believe, was that of the murder of Messrs. Carne and Tapp, for which offence they were punished by a British force in 1852, and several of their villages burned. From that time, with the exception of a few petty border feuds, with their Tunawul and Agrore neighbours, they have not committed themselves to any act of hostility against the Government.

18. The act of aggression on the present occasion is attributed to the leading of Kabool Khan, son of the Hussunzai Chief, and the Umb authorities do not hesitate to assert that it was effected under the instigation of Atta Mahomed Khan, the feudatory Khan of Agrore, His hostility to the Umb Chief is notorious, and his connection with the principal Khan of the Hussunzai (son-in-law) might be supposed to give him influence in that quarter; but I should hesitate, without more valid grounds than the assertion of the Umb party, to charge him with being the mover in this matter.

19. I must notice, however, that his conduct has been very unsatisfactory up to the present time; he has furnished no report of the circumstance, and in reply to an order of mine calling on him for a statement of what had really happened, which from his connection with the Hussunzai, and his proximity to the scene of action, he should have been readily able to furnish, he took no notice of the point at issue, but diverged with a statement of how he himself might be affected.

20. The management of the province of Agrore is, as you are aware, a new point of the politics of this district. The Chief, Atta Mahomed Khan has never been regarded as an honest well-wisher to the Government, and indeed has, on more than one occasion, come under the direct suspicion of the district officer In 1855 he was supposed to be intriguing with the Hussunzai, inducing them to show a hostile front towards Agrore, and threatening

aggression. Major Becher, then deputy commissioner, moved up a regiment of infantry toward Agrore, and summoned Atta Mahomed Khan to meet him; and all annoyance on the part of the Hussunzai ceased immediately.

21. I mention these circumstances as they bear, in some measure, on the point of the Hussunzai connexion with the Tunawul question, and because I think it right to let the previous character and conduct of Atta Mahomed Khan be known, as he may be nearly concerned in the present matter.

22. The Hussunzai are reported to have 2,000 fighting men. Colonel Abbott, in his report on the expedition to the Black Mountain, considers that not more than 600 came to the front.

23. The next tribe are the Akazye, who have possessions on both sides of the river, north of the Hussunzai; they have been little concerned with the people of Tunawul, and in the campaign against the Hussunzai, afforded the latter but little assistance; they have not yet come into collision with our officials.

24. I should mention here that there is a small colony of this tribe, which occupies Shaptot, in the Agrore valley, just opposite Atta Mahomed Khan's village of Juskote. Major Becher describes it as follows:—

"There is a hamlet, properly belonging to Agrore, which shortly before our rule had come into the possession of another Pathan tribe called the Akazye. This village does not appear in the assessment, and neither Major Abbott nor I have interfered with their possession, as it did not appear worth while to create a disturbance in so difficult a position for a few rupees. Moreover, these Akazye are aware that they hold on sufferance; they are a small tribe, but renowned for their bravery. In the Hussunzai campaign, the tribe generally afforded no assistance to the Hussunzai, and it would be always well to disunite them from their powerful neighbours.

25. The occupation of this village by the Akazai is one of Atta Mahomed Khan's grievances, and forms one of the many anomalies in the management of the Agrore province. In the event of the tribe taking part with the Hussunzai, it would of course be advisable to take measures with reference to this village.

26. The Akazye are said to muster 1000 fighting men.

27. The northernmost Pathan tribe are the Chigunzye, who hold land on both sides of the Indus, north of the Akazye. From their remote position they rarely come in contact with any subjects of the British Government.

28. I know of only one occasion in which a small party of the Chigunzye, at the invitation of a resident of Agrore, helped to carry off the latter's enemy from a wild part of Agrore. The latter was released without injury. Major Adams summoned the Jirgah (council) of the tribe, and they promised to come in, but the snow fell, and then they had a quarrel with the Hussunzai, through whose country they must pass, and the matter dropped.

29. The Chigunzye, according to native accounts, number 12,000 fighting men, but this estimate is doubtless much exaggerated.

30. This concludes the number of the tribes by which, from their position, Tunawul interests are likely to be affected more or less recently.

MEMORANDUM regarding Hussunzai tribe.

Extract from Colonel Abbott's Memorandum.

THE Hussunzai affect to believe that we have cruelly wronged them in visiting upon them the crime of Bostan (the murder of Messrs. Carne and Tapp). At any opportunity they may be tempted to retaliate the burning of their villages. In the event of the Umb territory, Cis Indus, being invaded by an overwhelming force, and our possession threatened, Colonel Abbott recommends the moving up of militia with orders not to advance beyond the Oonai. If the attacking force were too strong for the militia, Colonel Abbott would move British troops to meet it.

After the murder of Messrs. Carne and Tapp, by the Hussunzai, Jehandad Khan seized some 60 of that tribe, and held them as hostages. The Hussunzai, in revenge for the detention of their people, laid waste the Tunawul lands upon the Oonai river. They attacked the Castle of Chumberee and Shoonglee, both of which appear to have been abandoned to them by the treachery of Bostan, Jehandad Khan's Vakeel. The fanatics of Sittanah, also invited by Bostan, got possession of Kotla trans Indus, and were with difficulty driven back by Jehandad Khan's horsemen in their attack upon Umb.

Colonel

Colonel Abbott describes Shoonglee thus :—

"It is ill sited on an island in the Grand Ravine, eastward of the Black Mountain. There it forms a ridge, having precipitous sides, but accessible from either end. Shoonglee is commanded by the heights south of it—its position has been determined with reference to a supply of water."

In the attack on the Black Mountain, Shoonglee was occupied by the militia, who advanced from there. The central column of attack also advanced by the bottom of the grand ravine in which Shoonglee stands. The descent of the force after the expedition appears to have been by Chumberee. Colonel Abbott mentions that as the force was retiring, numbers of the Hussunzai, who were watching the proceedings from the right bank, streamed over on rafts made of inflated skins, and caused some annoyance. The number of the Hussunzai who actually came to the front, does not appear from Major Abbott's account to have been more than 600. Jehandad Khan's territory comprises the southern face of the Black Mountain, on which he has two castles, Chumberee and Shoonglee. Shergurh is on the southern side of the Oonai stream, marching with the Agrore province.

Colonel Abbott considers the most favourable time for an expedition in the Black Mountains to be from April to the early part of June, or from September to 15 November.

(signed) *H. H. Coxe,*
Deputy Commissioner.

Foreign Department, Political.—No. 639.

From Colonel *H. M. Durand*, C.B., Secretary to the Government of India with the Governor General, to the Secretary to the Government of the Punjab; dated Simla, 24 September 1863.

Sir,

The telegram, of which a copy is appended, will already have informed his Honor the Lieutenant Governor of the Punjab, that his Excellency the Viceroy and Governor General sanctioned, generally, the measures proposed in your letter No. 156, dated 15th instant, and that further instructions would be communicated by letter.

It was the anxious desire of the Governor General that peace should, if possible, be maintained on the Huzara frontier; but the overt acts of hostility which have taken place since the fanatics, contrary to the engagements entered into by the Jydoon and Otmanzai tribes, have been suffered to re-occupy Sittanah and other parts on the right bank of the Indus, impose the necessity of repressing and punishing such wanton aggressions. The Lieutenant Governor has called the attention of his Excellency to the fact that, whereas hitherto the hostilities or provocations had been offered by detached tribes, it was now for the first time that the majority, if not the whole, of the Huzara border tribes were arrayed against the British Government, and that it was reported that overtures had been made to the Akhoond of Swat. After the hostile acts already perpetrated, it is to be expected that the Hindoostanee fanatics and their allies should seek to extend the coalition to tribes of greater strength than those as yet more or less committed; his Excellency feels compelled, therefore, whilst the circle of the leagued tribes is still of contracted area and of manageable dimensions, to have recourse to military operations with a view to the expulsion of the Hindostanee fanatics, the punishment of the committed tribes, the exaction of sufficient guarantees for the future maintenance of peace and good order on our frontiers, and a timely prevention of the spread of disturbance over a larger area, by the deterring effect which active and adequate operations may produce at the present juncture.

To fulfil these objects the Governor General considers that the force to be employed should not be less in strength than that asked for by the Lieutenant Governor, viz., 5,000 infantry, with a proportionate and suitable equipment of artillery and some cavalry; a force of the proposed strength should be able to carry out the objects of the expedition.

In the letter under reply, his Honor has not stated what portion of the force should be European; from what stations it is proposed to draw the troops to be employed; nor on what points they are to be assembled. His Excellency cannot judge, therefore, without these details, how far the movement of troops contemplated by his Honor would admit of the operations commencing not later than the 10th October. His Excellency will, in the military department, issue

orders with a view to the march of troops, so that their concentration at the required points may take place as early as practicable, and not later than from the 10th to the 15th October; this will leave one clear month for operations, before snow may be expected to fall.

The first object of the expedition must be effectually to rid our frontiers of the chronic cause of disturbance, the Hindoostanee fanatics. Their mere expulsion from the right bank of the Indus, back upon their old posts at Mulkah, and on the south bank of the Burendo, is not enough; nor is it advisable, as Swat may have been tampered with, that they should find shelter there, and make that powerful tribe the future focus of disturbance on our frontier. Whilst occupying the attention of the fanatics and their allies on the line of the Indus, in the neighbourhood of Sittana, the aim should be, if there be no serious military objection to this course, to push up a strong column to Mungul Thannah and Mulkah, so as not to interfere between the fanatics and their line of retreat towards the Burendo, their posts on which might be occupied either by a separate light column or by a detachment from the main column. The latter would from Mungul Thannah and Mulkah then operate in conjunction with our troops on the Indus line against the fanatics, and though their extirpation may, as anticipated by Lieutenant Colonel Taylor, not be possible, yet their dispersion would, under such circumstances, be on lines of direction favourable to their capture, if the co-operation of the well-disposed sections of the tribes could be elicited.

Upon this subject his Excellency is of opinion that the punishment of the Jydoons should be a secondary consideration to the primary one, of crushing effectually the small but troublesome horde of fanatics; and with this purpose in view, the civil officer who accompanies the expedition, should make it his object not only to discriminate carefully between those tribes who have as yet shown no signs of hostility, and those who through fear of our approach in force make professions of repentance, but also to hold out to the latter that their sincerity will be measured by the assistance they may render in capturing dispersed fanatics, and that by no other course can they atone for their complicity, and escape retributive measures.

The guarantees to be taken from the Jydoons, Otmanzais, and other tribes, must depend upon their conduct, and the degree of punishment which it may be found necessary to inflict in carrying out the first object of the expedition; viz., the clearance from fanatics of the compact area limited by the Burendo to the north, the Indus to the east, and our Euzofzai frontier to the south and south-west.

Under the supposition that this, the principal part of the operations is rapidly and successfully completed, and that sufficient of the favourable time remains for further action, the troops may be employed against the Hussunzais of the Black Mountains; and as the aggressions of this tribe have been against the villages of our feudatories, it will be advisable that the forces of the latter be made to take an active share, supported by our troops, in any retributive measures carried out against this offending tribe.

Any feudatory like the Agrore chief, whose conduct has been culpable, should be called to account, and made to furnish suitable guarantees for his future conduct.

Should the operations in the Mahabun tract occupy a longer period than is anticipated, and the favourable time be so far consumed in this, the main object of the expedition, that the interval before snow is likely to fall and impede the military movements is very short, his Excellency would prefer to any abortive operations under such unfavourable conditions, that either the punishment of the Hussunzai were deferred until April, or that, in the event of the operations against the fanatics disheartening the Hussunzais, and leading them to make overtures, they should be granted terms on their making suitable compensation to our injured feudatories, and furnishing hostages.

Care must be taken during the progress of the expedition against the Mahabun tract to isolate the Hussunzais, and prevent their endeavouring to co-operate with the fanatics. From the position of the Umb territories, on both banks of the Indus, this isolation of the Hussunzais, until the troops were free to deal with them separately, should be easily effected.

A copy of this Despatch will be furnished to the Military Department, and detailed instructions issued in that department.

From

MILITARY DESPATCHES.

From Brigadier-General Sir *N. Chamberlain*, K. C. B., Commanding Eusufzye Field Force, to the Adjutant-General; No. , dated Murree, 10 Oct. 1863.

I HAVE the honour to report for the information of His Excellency the Commander-in-Chief, that I leave Murree this day, proceeding *viâ* Abbottabad and Torbeyla, to take command of the Eusufzye Field Force, and which I hope will be assembled and ready for operations on or about the 15th instant.

2. I beg to transmit a copy of my instructions to Colonel R. O. Bright and Major Watson, C.B. and V.C., relative to the protection of the Indus border and the Huzara district, during the time the Field Force may be actively employed on the right bank of the Indus.

3. I have to request that all letters which you may have occasion to write to me, may be addressed *viâ* Nowshera and Murdan.

4. His Honour the Lieutenant Governor has arranged for the opening of a telegraph office at Nowshera, and the line is now being extended to Murdan, where an office will be opened in a few days.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant-General, Army, Head Quarters, Simla; dated Camp, Swabai, 16 October 1863.

IN continuation of my letter of the 10th instant, reporting my departure from Murree to assume command of the Expeditionary Force, I have the honour to report for the information of His Excellency the Commander-in-Chief, that I arrived at Swabai on the 13th instant, Swabai being the place at which it had been arranged that the troops proceeding from Huzara should assemble, owing to the insufficient number of boats available for the passage of the Indus opposite Topi, the troops have been delayed in crossing that river, and it has therefore been advisable to defer proportionately the arrival at the rendezvous at Nowakilla (10 miles north-west of Swabai) of the troops proceeding *viâ* Nowshera. If the Force had been allowed to assemble at Nowakilla, it would have been necessary to supply the troops from the commissariat stores collected there for the expedition; whereas, by keeping them in the rear, they are supplied from the villages in the neighbourhood of their camps. Fortunately, this delay has not deferred the commencement of the operations, as neither the commissariat nor the ordnance arrangements have been yet completed.

2. Colonel R. G. Taylor, C.B., Commissioner of the Peshawur Division, preceded me to Swabai, and is engaged in arranging the political details, and in verifying the plan of operations which I propose to adopt, and which, when matured, I shall do myself the honour to forward for the information of His Excellency in a separate communication.

3. His Excellency may rely upon every effort being made to complete the arrangements for the advance of the Force as early as possible.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant-General, Army Head Quarters, Simla; dated Camp Nowakilla, Eusufzye, 18 October 1863.

As promised in my letter of the 16th instant, I have now the honour to forward for submission to His Excellency the Commander-in-Chief, copy of a memorandum by Lieutenant-Colonel A. Wilde, C.B., Commanding Guide Corps, proposing a plan of operations for the Expeditionary Force under my command.

2. Lieutenant-Colonel Wilde prepared this memorandum for me some time ago, when the Hindostanee fanatics first returned to Sitana. His local experience,

his prudence, and his sagacity would, I felt certain, in the event of an expedition, make his suggestions most valuable to whatever officer might be appointed to the command.

3. The correctness of Lieutenant-Colonel Wilde's information and suggestions has been carefully tested by the Commissioner, Colonel R. Taylor, C.B., and as they have been fully confirmed, I have no hesitation in adopting his memorandum as the basis for the operation of the Expeditionary Force.

4. In one respect, however, I shall not follow the plan sketched out by Lieutenant-Colonel Wilde. He proposes that simultaneously with the occupation of Cherorai, a column from Huzara shall drop down the Indus, and drive the enemy out of Sitana. My views on the subject of the employment of the troops in Huzara are already in His Excellency's possession. The column at Derbund, opposite to Umb, will remain stationary with the sole object of overawing the Hussunzaies and other tribes on both banks of the Upper Indus, and protecting the Huzara frontier from attack. Active operations against Sitana will be confined entirely to the column under my personal command.

5. I have not decided to adopt, in its main points, the plan of operations suggested by Lieutenant-Colonel Wilde, without giving due consideration to the other courses which suggest themselves, and which I will briefly notice.

6. Major-General Sir Sidney Cotton's Force, in 1858, marched through the Khodoo Kheyl country to Mungultanah. The last part of the approach to Mungultanah was found extremely difficult, but on that occasion it was not defended by the Hindoostanees, nor did the tribes offer any opposition to the force. This is the route by which the Hindoostanees expect the force will again proceed, and preparations have been made by them accordingly. To adopt it therefore would be to do what the Hindoostanees doubtless desire. They would have the opportunity of inflicting loss upon the force as it advanced, and their line of retreat would remain open.

7. Sir Sydney Cotton's Force returned from Mungultanah to the plains, and passing round the Otmanzye hills in front of Topi by the village of Kubbul, attacked Sitana. Some loss was inflicted upon the Hindoostanees in this attack, but the main body of them ascended the spurs of the Mahabun above Sitana, and successfully evaded the attacking force—a direct attack upon Sitana by the force under my command would doubtless be followed by a like result. The infantry and mountain guns could indeed ascend the hills in pursuit, but as the rear would always remain open, the enemy would not be liable to be cut off, and it would be impossible for our troops to overtake them.

8. The Judoon territory might be entered by the route of Gundup and Beesuk, and the heights of the Mahabun mountain might be reached in this way, so as to place a force in an advantageous position as regards Sitana. But in the event of the Judoons proving actively hostile, the force would have to fight their way at every disadvantage, and as the line of retreat would remain open to the fanatics, the desirable result of killing or capturing them would not be attained. This route presents more difficulties and disadvantages than the two first referred to.

9. The advantages offered by the adoption of the route proposed by Lieutenant-Colonel Wilde, are obvious. The force is not expected by this route. The pass by which the Chumla Valley is entered from the British territory is a very easy one, and practicable for camels, once arrived in the Chumla Valley, the force is placed in a position to reach the rear of the Mahabun mountain, and in the most favourable situation for intercepting the retreat of the Hindoostanees if they determine to fight. If they decamp without fighting, their escape is, I fear, inevitable, under any circumstances. The Judoons, again, are placed at every disadvantage, and to save themselves may possibly be brought to agree, if not to capture, at least to bar the exit from their country of the Hindoostanees. Lastly, the several posts known to be occupied by the Hindoostanees in the Chumla valley, will at once fall into the hands of the force, and Mulkah, their principal colony and post, on one of the northern spurs of the Mahabun, will be accessible by a road of nine miles, improved by the Hindoostanees themselves.

10. The occupation of the Chumla valley by the force is perfectly fair upon the

the inhabitants, because they are openly aiding and abetting the fanatics, allowing them to occupy their villages, and supplying them with food and grain, at the same time no injury will be done to the inhabitants as long as they do not oppose the force, and they will be paid for all supplies taken for the use of the camp. All this will be explained to them by the Commissioner as soon as the force enters the valley, and similar messages will be sent to the people of Bonair, the Amazyes, and the other neighbouring tribes.

If, notwithstanding these assurances, any of these tribes should prove hostile, or the whole should choose to unite against us, the force which enters the hills will, I confidently believe, be found strong enough to hold its own against any tribe or combination of tribes, which may endeavour to oppose it. But Colonel Taylor does not anticipate any such opposition or combination.

11. A copy of this communication will be sent to Lieutenant-Colonel Norman, Secretary to Government, Military Department, with the Governor General, in compliance with the instructions furnished from your office.

P.S.—The staff officers of this force are at present so much engaged that, as this communication is not one that I can confide to an ordinary clerk, I find myself compelled to ask that His Excellency the Commander-in-Chief will permit a copy of it to be sent to Colonel Norman from your office, for His Excellency the Viceroy's information.

(signed) *Neville Chamberlain,*
Brigadier-General.

SUGGESTIONS as to the best Manner of Operating against the Hisdoostanee Fanatics who have lately re-colonised Sitana, prepared at the request of the Brigadier-General commanding the Punjab Irregular Force, dated Camp Baham Khail, 29th September 1863.

THE Expedition of 1858, although successful, as far as the fact that the troops (as might be expected) defeated the Sitana men, whenever met with, was, must be admitted now, inconclusive in its results. The Judoon tribe did not feel the power of the Government. The Hindoostanees, it is true, were turned out of Mungultanah, which place they feared to defend; and they were also driven out of Sitana, which village they held but weakly. They retreated to Mulkah, more from the pressure put upon them by the Judoon tribe than from the defeat they sustained from our troops.

In 1858 the column marched from Swabai Mooneeree through the Khodoo Kheyl country to Mungultanah, the latter part of the approach to which place is a most difficult route, if defended. It then returned to the plains, and, passing round the Otmanzye hills at Topi, attacked Sitana, encamped on the banks of the Indus some days; and the Hindoostanees, having retreated to Mulkah after Sitana was assaulted, the force broke up, and returned to cantonments.

I assume that the peace of this frontier for the future is the object of the expedition; to attain that end the destruction for ever of this colony of priests and fanatics is a necessity. It must be removed by death or capture out of these hills. A treaty with the hill tribes must be made, not to allow them in future to reside in their territories. The greater portion of the sect being British subjects, who openly and continually preach war against the British Government, this demand is just and equitable, and the only inquiry is if it is practicable: I believe it is; but the plan of the campaign must be totally different in its nature from that pursued in 1858. The force must be strong, and the country to the north of the "Mahabun" must be temporarily occupied. The military object in view being to attack the Hindoostanees from the north, forcing them to fight with their backs to the plains, operating, in fact, on their line of retreat, instead of as before, by advancing from the plains, driving them out of Mungultanah and Sitana, and allowing them a safe retreat and passage into the hills.

To effect this, two columns should be employed, the one a strong one, and the other a weak one. The base of operations of the Peshawur, or strong column, to be "Roostum-ka-Bazar," in the Sidoon valley, and the base of the other, the Huzara, or weak column, to be Kirplean on the Indus. The Peshawur column to be assembled at "Nowakillah" and Swabai Mooneeree with the avowed object, as in 1858, of moving on Mungultanah, which is now expected, when ready to march, to pass through the Umbeylah defile, and occupy the village of "Kogah," in the Chumlah valley, 18 miles, but a camel road, chiefly over our own land, and easy in the extreme. The next day to march to "Cherorai," 16 miles, and open plain, and near to the river Barnadah, where communication could be opened by Cossids with British territory in Huzara, if necessary.

Simultaneous with the occupation of "Cherorai" the Huzara column to drop down the Indus, and drive the enemy out of Sitana, occupying that place. The Peshawur column would on the third day proceed to "Mulkah," nine miles, and a good road, lately made by the Hindoostanees themselves.

From Mulkah the action of the column would be dependent on circumstances. It could abandon the Chumla valley, sending back the cavalry to the plains, and proceed on to Sitana over the "Mahabun," or descend *viâ* Mungultanah to Mooneeree in British territory.

If, to Sitana (the desirable result) it would march from Mulkah to Birgullai, 12 miles; the next day to Jabaree, 10 miles; and the third day to Sitana. This road has been made and improved of late by the enemy, as it is their intended line of retreat. Camels cannot travel it, or elephants; the last part of it is difficult for laden animals, but practicable for men and mules.

Cherorai is a large town of 1,000 or 1,200 houses, from which the Hindostanees draw all their supplies of grain and material. It is situated in a plateau, high and open.

There is also a road from Cherorai to Mungultanah, fit for mules, only 12 miles distant.

The inhabitants of Chumla valley are Amazayes chiefly, kinsmen of the men living at Kassoor-Ka-Garree and other large villages in the Eusufzye plains. I consider it a certainty that they would offer no opposition to the Force, particularly if some influential mullicks of our villages accompanied our army while occupying the village of Chumla. The Umbeylah pass is a remarkably easy one, and the one through which all the trade carried on by camels, passes to the plains. The villages of "Kogah," "Kooria," and "Cherorai," are large and populous. and with good prices and just payments, would sell their grain to the troops. The northern slopes of the "Mahabun" are reported to be easy compared with the southern ones. Troops advancing from the Chumla valley towards Mulkah and Sitana, would head all the Judoon valleys and villages, instead of having to fight up them.

I consider it equally a certainty, that the whole of the Judoon tribe would send their jirgah into camp when they found their position turned by the army being in the Chumla valley behind them, and that there is every prospect of their assisting the force to capture the Hindoostanees after they had been once broken up by the troops at Mulkah and Sitana,—a range of mountains called "Gurroo" separates Bunneer from Chumla. The "Bunneerwals" are at present opposed to the Syuds. They did not assist them in 1858, and will not, I believe, assist them now. The valley of Chumla is open, and cavalry can act. A force can maintain itself in the valley against any numbers. It can send flying columns up the "Mahabun," and eventually, if necessary, withdraw in safety back through the Umbeylah pass to the plains, or as proposed can detach its cavalry in one night, and ascending the Mahabun with its infantry and mountain guns, descend upon Mungultanah to Mooneeree, or proceed on to Sitana over the hills. In the latter event the Huzara column could, if necessary, meet it on the heights above Sitana, if still occupied by the enemy.

Should the Judoons remain hostile, they must feel weak and exposed, if attacked as above; all their preparations have been ignorantly made under the natural native-like supposition, that, as a matter of course, this expedition would follow the route of the last, and the deception should and could be easily maintained.

It may be argued, that by entering the Chumla valley we should become involved with tribes whose hostility is not yet declared. Supposing, then, that the Amazaies prove enemies, still it will be easier to fight them on their own plains and near their homes, than to have them arrayed against us on the heights of the Mahabun.

In the event of the Amazaies remaining friendly, or after they have been coerced, the destruction or capture of the Hindoostanees must occur, as their line of retreat will be in our hands, and supposing, as I believe will be the case, the Judoons are willing to buy their own immunity by capturing them, we shall have placed the enemy between us and the Judoons.

The above outline of the proposed campaign requires the judgment of our political officers to be passed upon it as regards the following points:—

The military questions embraced in it are, I think, correct. The political points involved are—

I. Will the Amazaies, Khodoo Kheyls, and others living in the Chumla valley, oppose us or not?

II. Should they oppose us, is their conquest easy?

III. Will the Bonairwals cross the Gurroo range to attack the British camp in Chumla?

IV. Will the Judoons offer their submission, when they see the Chumla valley occupied?

V. Are the routes or roads towards Mulkah and Mungultanah easy and practicable to a force starting from Cherorai?

VI. Have the Hindoostanees any other retreat except through the Chumla valley?

VII. Is

VII. Is it probable that the Judoons will capture and bring in the Hindoostanees, when they have been turned out of Mulkah and Sitana by the troops?

VIII. Will not the threat of our attacking and devastating the Judoon country on our way down to the plains make the Judoons act against the Hindoostanees?

IX. Will the Chumla villages afford supplies?

X. Is the Umbeylah pass easy of access?

XI. Is the Chumla plain large and well adapted for military operations?

XII. Can communication be opened from Cherórai with the Huzara district?

Should the above plan meet with attention, there are, of course, many subsidiary arrangements necessary—secrecy the chief element of success. I have no copy of this, so kindly let it be preserved.

(signed) *A. Wilde*, Lieut.-Colonel.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant-General;—(No. 1, dated Camp, crest of the Umbeyla Pass, 21 October 1863.)

In continuation of my letter of the 19th instant, reporting that the force would move from camp at Nowakilla the same evening, I have now the honour to submit, for his Excellency the Commander-in-Chief's information, an account of the proceedings of the force up to this date.

2. I must first inform his Excellency that, on the same day (18th October) that the other troops moved up from their camps in the rear to Nowakilla, the troops, as per margin, marched to the mouth of the Durrun Pass. This is the Pass by which the force under Major-General Sir S. Cotton, K.C.B., entered the hills in 1858; and by moving the above troops to the mouth of this Pass, the impression was of course conveyed that the force was about to enter the hills by the same route as before.

Peshawur Mountain Train.
Huzara do. do.
1st Punjab Infantry.
5th Goorkha Regiment.

3. On the afternoon of the 19th orders were sent to the troops mentioned in the last paragraph, to march after dark to Permouli, and there to form a junction with the troops as per margin, which would leave the camp at Nowakilla at 9 P.M. The united detachments were then to proceed under command of Lieutenant-Colonel A. P. Wilde, C.B., to Goorkhawa, and thence penetrate into Chumla by the Umbeyla Pass.

100 Sabres, Guide Cavalry.
100 „ 11th Bengal Cavalry.
Guide Infantry.
5th Punjab Infantry.
20th (Punjab) Native Infantry.

The annexed report from Lieutenant-Colonel Wilde, C.B., will inform the Commander-in-Chief of the proceedings of this advanced column, and of its success in reaching the crest of the Umbeyla Pass on the afternoon of the 20th. I trust that his Excellency will concur with me in considering that the duty was satisfactorily performed, and that credit is due to Lieutenant-Colonel Wilde, and to the officers and troops employed under his orders.

4. I should here mention that, on the afternoon of the 19th, when it would be too late for the Chumla or other tribes to make any preparations on a large scale, for impeding the march of the troops through the Umbeyla Pass, a proclamation was forwarded by the Commissioner to the Chumla and Bonair tribes, stating the object with which the force was about to enter the Chumla Valley, and assuring them that it was with no intention of injuring them or of interfering with their independence, but solely because it was the most convenient route by which to reach the Hindoostanee fanatics, and to effect their expulsion from the Mahabun.

5. The main column, composed of the troops as per margin, marched from Nowakilla at 1 A.M. on the 20th October, and reached Roostum at 7 A.M. The road was a mere village track, and as any attempt to improve it earlier would have revealed our intended route, it had only received such improvement as a company of Sappers could hastily give it, late on the afternoon of the 19th, when concealment was no longer necessary or practicable; the civil authorities aided in removing obstruc-

½ C. Batty. 19th Brigade Rl. Artillery.
Company of Sappers.
71st Highland Light Infantry (550).
101st Royal Bengal Fusiliers (500).
32d Bengal Native Infantry.
3d Punjab Infantry.
6th do. do.

tions by employing large parties of villagers, who worked at the road by torch-light, and a line of fires marked the route by which the troops were advancing.

6. The main column rested for a short time at Roostum for the troops to refresh and breakfast, and I took the opportunity of selecting the best available position for the depôt of sick and weakly men, &c., to be left at that place. At about 9 A.M., the troops were again in motion. As far as the village of Soorkhowa, the track was tolerably good, and lay through small open valleys; but at a little distance beyond Soorkhowa the real Pass commences. As a road for troops it certainly presents great difficulties. The track lies up the bed of a stream encumbered with boulders and large masses of rock, and is overgrown with low trees and jungle. The hills on either side rise to some height, but for the most part with a gradual slope, so that infantry can ascend them without difficulty, except for the obstacle presented by thick thorny jungle. The guns were drawn by horses as far as possible, and then transferred to elephants. The progress of the force was of course extremely slow, as in most parts it was only practicable to move in single file, and the British troops were much fatigued; but the plentiful stream of water which flows through the Pass prevented their suffering from thirst, and late in the afternoon the rear of Lieutenant-Colonel Wilde's column was reached. Lieutenant-Colonel Wilde's column had not been strong enough to post flanking parties at more than a few of the most important points in the Pass. Detachments were therefore posted from the main column wherever it seemed necessary, and the entire 5th Goorkha Regiment was left about three-quarters of a mile from the crest of the Pass, in a commanding situation, where it served as a support to the small flanking parties, and also protected the baggage. The 32nd Native Infantry formed the rear guard, but did not get beyond Soorkhowa on the night of the 20th.

7. Lieutenant-Colonel Wilde had encamped the advanced column on and beyond the crest of the Pass on tolerably open and level ground, which afforded sufficient room for the main column also to bivouack as it came up; but it was 10 P.M. before the guns reached camp. I had sent on the whole of the cavalry with the advanced column, under the representation that the Pass was much easier and shorter than it proved to be, in view to pushing them forward, supported by some infantry and Mountain Train guns, and reconnoitering the road down the Pass and the head of the Chumla Valley. But when I found what difficulties the Pass presented even to the march of the troops, and how long it would necessarily be before the whole of the baggage could come up, I thought it prudent to make no further movement in advance. The ammunition mules of the infantry had beeen able with difficulty to keep up with the rear of their respective regiments, but with this exception not a single baggage animal reached the camp during the night of the 20th.

8. One of the Mullicks of Umbeyla had been made prisoner whilst opposing the advance of Lieutenant-Colonel Wilde's column. From him it was ascertained that the slight opposition made in the Pass was made by the people of his own village (situated at the mouth of the Pass in the Chumla Valley, and therefore belonging geographically to Chumla, but paying tribute to one of the Bonair tribes), and by a few of the Chumla villagers. This Mullick was sent to his people by the Commissioner, together with a wounded man, and they were allowed to take away the body of one man who had been killed. He was charged with a verbal message corresponding with the terms of the proclamation, and informing the Chumla people that if they would bring supplies they would be liberally paid for them. It was hoped that this message and the proclamation together, would satisfy the Bonair and Chumla people as to our intentions regarding them and their country, and prevent their taking part against us.

9. I will now endeavour to make his Excellency acquainted with the nature of the position which the force occupies. On the left it is enclosed by the Gurroo Mountain, which divides the Umbeyla Pass from Bonair. This mountain, which is estimated roughly to be 6,000 feet high, rises in a succession of ridges; steep, but not precipitous, the general direction of which is parallel to the Pass; occasional plateaux and knolls are found on its sides, which afford convenient and safe situations for our picquets, and about 1,000 feet above the camp is a very remarkable heap of enormous *granite* rocks, which forms a conspicuous object from the entrance

entrance and throughout the Pass, and marks the point at which the crest or water-shed is reached, which separates Eusufzye from Chumla. The sides of the Gurroo Mountain are clothed with fir trees of large growth, interspersed on the lower slopes with the wild fig and the date tree, a remarkable mixture of the vegetation of a cold and of a tropical climate. To the front of camp the Pass widens as it descends, and opens out into little plateaux, which at last meets the plain of Chumla. The latter is distant about three miles from the camp, and has the appearance of being well cultivated, with a stream flowing through the middle of it, the head of which gives water to our camp. A range of hills much lower than the Gurroo is on the right of camp, and is crowned by our picquets. To the rear of camp, but far below, is seen the plain of Eusufzye.

10. The further proceedings of the force will be duly reported for his Excellency's information.

P.S.—I am compelled to ask that you will forward a copy of this Report to Colonel Norman, C.B., Secretary to Government, Military Department, as I have no means of having a second copy made, there being no clerks in camp.

From Lieutenant-Colonel *A. Wilde*, C.B., Commanding Corps of Guides, to Major *T. Wright*, Deputy Assistant Adjutant-General, Peshawur Division;—(No. 1, dated Camp, Umbeyla Pass, 20 October 1863.)

As directed in Eusufzye Field Force Orders, I have the honour to report, for the information of Brigadier-General Sir N. Chamberlain, K.C.B., commanding, that I marched from Nowakilla at 9 o'clock, P.M., on the 19th October 1863. The troops under the command of Major C. P. Keyes, which were encamped at the entrance of the Durran Pass, met my column at the village of Pernouli during the night, and the two detachments having joined, moved on together towards the Umbeyla Pass in one column, consisting of the batteries and regiments named in the margin.

Peshawur Mountain Train.
Huzara ditto ditto.
Infantry Corps of Guides.
1st Punjab Infantry.
5th ditto ditto.
20th ditto ditto.
5th Goorkha Battalion.
100 Sabres Cavalry Corps of Guides.
100 Sabres 11th Bengal Cavalry.

2. At sunrise on the morning of the 20th October 1863, the Umbeyla Pass was entered, and the Column halted for an hour inside it to rest the men who had been marching across country during the whole night. About 9 o'clock A.M., the Column having been organised for service, and the baggage directed to remain at the entrance of the Pass, under an escort of the 11th Bengal Cavalry, I advanced the troops; the Infantry of the Corps of Guides and the 1st Punjab Infantry leading, supported, respectively, by the 20th Punjab Infantry and the 5th Punjab Infantry. The 5th Goorkah Battalion remained as an escort to the two Mountain Train Batteries.

3. About one-third of the Pass had been traversed, when I received information that my advance would not be unopposed. Reports differed as to the numbers of the enemy, and the thickly-wooded nature of the country rendered it difficult to ascertain what points of the hills were occupied.

4. At 12 o'clock the enemy commenced firing from the rocks in the vicinity of the road, but were gradually dislodged by the advanced guard of the Column; in this manner two-thirds of the Pass was gained, when the end of the Pass, called the "Umbeyla Kundao" appeared in sight. The hills on both sides high, covered with low brushwood and jutting rocks, but perfectly practicable to good light troops. On many of the most prominent rocks small parties of the enemy showed themselves and occasionally fired.

5. I directed the Infantry of the Corps of Guides to take the crest of the hills to the right, and the 1st Punjab Infantry to move up the valley slowly, and left it to Major Keyes to act as his judgment dictated. Lieutenant-Colonel Vaughan, with his regiment, protected the flank of the Column, which some parties of the enemy threatened. By 2 o'clock P.M. the top of the Pass, the water-shed of the Valleys of Suddum and Chumla, was secured.

6. The Corps of Guides had ascended the heights on the right, driving small detached parties of the enemy before them. The 1st Punjab Infantry had, with their skirmishers, mounted the lower spurs of the hills on both sides of the Pass, and Major Keyes with his reserve continued to press the enemy in front along the valley until they disappeared over the ridge. The opposition offered to our troops was no where determined, and a single shell fired by Captain De Bude, commanding the Huzara Mountain Train, hastened the retreat of the enemy.

7. I estimate the numbers of the enemy in the field at from 200 to 250 men, and their loss amounted to two killed and three wounded, besides one captured. On the side of the troops there was no casualty.

8. Major C. P. Keyes, commanding the 1st Punjab Infantry, and Lieutenant F. H. Jenkins, second in command, the Corps of Guides, led the regiments on whom the work fell, and both these officers displayed both skill and knowledge of hill warfare in the management of their corps.

9. Colonel R. Taylor, C.B., the Commissioner of Peshawur, accompanied the Column, and assisted me materially throughout by his advice, and I beg to acknowledge the value of his experience.

10. Considering that the Pass was gained without loss, and its occupation secures the entrance into the Chumla Valley, I feel sure the Brigadier-General will be satisfied with the conduct of the troops on this occasion.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant-General, Head Quarters;—(No. 2, dated Camp, crest of the Umbeyla Pass, 23 October 1863.)

In continuation of my letter No. 1 of the 21st instant, I have the honour to report as follows, for the information of his Excellency the Commander-in-Chief.

2. Up to the evening of the 21st instant, the date of my last letter, but a small portion of the baggage had reached the camp, partly in consequence of the difficulties of the road, and partly from the inferior nature of much of the carriage and incompetence of the drivers. But on the morning of the 22d, the rear guard being then at no great distance from the camp, I considered that the preliminary steps might be taken for moving the force forward.

3. Accordingly, in the forenoon of the 22d, a detachment of Sappers (details of the 4th and 5th Companies) was set to work to improve the descent of the pass. The Sappers were supported by the 20th Punjab Native Infantry under Major Brownlow, and as soon as the road was reported tolerably good, were followed by the Cavalry* under Lieutenant-Colonel Probyn, C.B., V.C. The Sappers were then sent back to camp, and the cavalry proceeded to reconnoitre, supported by the 20th Punjab Native Infantry, which occupied the gorge of the Pass, the reconnoisance being conducted by Lieutenant-Colonel Taylor, C.B., Royal Engineers.

* 100 sabres Guide Cavalry.
100 sabres 11th Bengal Cavalry.

4. The information received was to the effect that a considerable body of the Bonair tribe were occupying the pass which leads from Chumla into Bonair, from near Umbeyla, but that their intentions towards us were peaceable. The Commissioner had communicated with them, and they had avowed their intention of merely acting on the defensive, and of opposing us only in the event of our attempting to enter the Bonair country.

5. Being of course most desirous to give the Bonair people no cause of offence, or even of suspicion, I had desired Colonel Taylor to act with the greatest circumspection. I was aware that from the foot of the Pass the reconnoitering party would have the choice of two roads through the Chumla valley. The first, which was said to be the better of the two passes, by the village of Umbeyla, and keeps the north side of the Chumla valley, under the hills which divide Chumla from Bonair. The second is by Kagah, and along the south side of the valley. Knowing that Umbeyla was regarded by the Bonair people as one of their own villages, though actually in Chumla, I gave Colonel Taylor orders to avoid that road and to proceed by the Kagah route, thus guarding in every possible way against giving offence to the Bonair people, and endeavouring to prove to them that we desired to hold entirely aloof from them and their country.

6. The information we possessed of the assembly of the Bonair people in their Pass, was confirmed by the observation of the reconnoitreing party, as will be seen by Colonel Taylor's report, which I have the honour to enclose. No obstruction was offered by them to the reconnoitering party in its advance down the valley, and they contented themselves with peaceably watching its movements from the hills. But it was otherwise, as the party returned. A body of the Bonair people descended from their Pass and attempted to cut off the retirement of the Cavalry, opening fire upon them. In pure self-defence the Cavalry were compelled to charge and open the road, which they did, killing some six of the enemy, with a loss to themselves of two men wounded and two horses missing. The attempt upon

upon the Cavalry was followed by an attack upon the Infantry, which it had been necessary to call up in support, and Major Brownlow had to fight his way up the Pass into camp. Major Brownlow's conduct on this occasion and his management of his regiment was most praiseworthy; for, from the nature of the ground, the operation was at any time a difficult one, and rendered more so by the approach of night, and the determined bearing of many of the enemy, the most forward of whom endeavoured to close with the skirmishers sword in hand. The regiment behaved with great steadiness, and Lieutenant Richmond, Doing Duty Officer, who with a party held one of the spurs which commanded the mouth of the Pass, exhibited great gallantry. Lieutenant Brown, Royal Engineers, who had directed the work of the Sapper Detachment, and on his return to camp had joined the 20th (Punjab) Native Infantry, also distinguished himself, and was slightly wounded.

7. The attack upon the reconnoitering party was followed by a general attack upon the picquets in the front and on the flanks of camp, which continued at intervals until midnight. The enemy, as I must now call them, were repulsed with but trifling loss to ourselves, but I regret to say that Lieutenant Gillies, Royal Artillery, of the Huzara Mountain Battery, was killed in the attack. The nature of the ground, which is very broken and covered with brushwood, enabled the enemy to carry off most of their dead during the hours of darkness, but eight of their bodies were taken up in the morning, and the spies report that some 50 were killed in the attack, amongst them some people of influence.

8. The Bonair people having thus taken a decidedly hostile part against us, is extremely serious, and has altered our whole position, and probably our plan of operations. That their conduct has been prompted by the Hindoostannee fanatics at Sittana, &c., there can be no doubt. Some papers have been intercepted, which show that ever since it became known that the present expedition was being organised against them, the Hindoostannees have been endeavouring to obtain the assistance of the people of Bonair by alarming them as to our intentions of annexing their country. The hostility of Bonair must now be considered as a fact, and our course of action guided accordingly. Its probable effect upon the security of our communications has first to be considered and guarded against.

In this view I have ordered up the Wing of the 14th Native Infantry from Nowakilla to Roostum, and applied for another native infantry regiment to be sent from Peshawur. I have requested the Commissioner to arrange for the occupation of the lower portion of the Pass with his foot levies, and it is probable that I shall have to ask for more native infantry before the communication with the rear can be considered secure, even so long as the force occupies its present position on the crest of the Umbeyla Pass.

9. His Excellency is in possession of my original plan of operations, namely, to use the Chumla Valley as the route for reaching the Hindoostannee settlements on the Mahabun. But with a powerful and warlike tribe like the people of Bonair in declared hostility on the left flank of our proposed line of march, and in a position to which they can always return, even though once dislodged and beaten, it may now be impossible to persevere in this plan of operations. Besides, our latest information is to the effect that the Bonair people have summoned the Hindoostannees to their aid, and that a portion of them at least have obeyed the summons. It is doubtful, therefore, whether the original object in view can now be obtained by the force penetrating to the Mahabun, and whether the Hindoostannee fanatics will not be either encountered in our present position, fighting with the people of Bonair, or have to be sought elsewhere than on the spurs of the Mahabun.

10. A deputation consisting of almost all the influential men of the Judoon tribe came into camp to the Commissioner this morning, and many of the Chumla Mullucks are also in camp.

11. Both the British and native troops have had to undergo considerable discomfort from the baggage having been delayed, but the plentiful supply of firewood has fortunately enabled us to keep up large watchfires, and the troops generally are healthy, except those who have brought the Peshawur fever with them.

12. Enclosed it a Casualty Return up to date.

EUSUFZYE FIELD FORCE.

CASUALTY RETURN, Killed and Wounded, of the above Force on the 22d October 1863.

Camp, Umbeyla Pass, 23 October 1863.

REGIMENTS.	KILLED.					WOUNDED.					HORSES.		MULES.		REMARKS.
	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	Killed.	Wounded.	Killed.	Wounded.	
Huzara Mountain Train Battery	1	–	–	–	–	–	–	1	–	2	–	–	1	1	
Guide Cavalry	–	–	–	–	–	–	–	–	–	2	–	–	–	–	
11th Bengal Cavalry	–	–	–	–	–	–	1	–	–	–	–	3		–	
1st Punjab Native Infantry	–	–	–	–	–	–	–	–	–	2	–	–	–	–	
3d „ „	–	–	–	–	–	–	–	–	–	2	–	–	–	–	
20th Native Infantry	–	–	–	–	2	–	–	2	–	9	–	–	–	–	
32d „	–	–	–	–	–	–	–	–	1	1	–	–	–	–	
TOTAL	1	–	–	–	2	–	1	3	1	18	–	3	1	1	

(Examined)
(signed) *T. Wright*, Major,
Asst. Adjt. Genl.

(signed) *N. Chamberlain*, Brigr. Gen.,
Comdg. Eusufzye Field Force.

From Lieutenant-Colonel *A. Taylor*, Royal Engineers, to Major *T. Wright*, Assistant Adjutant-General; dated Camp, top of Umbeyla Pass, 23 October 1863.

FOR the Brigadier General's information, I have the honour to report the details of the reconnoisance of the 22d instant.

2. Agreeably to instructions received, I proceeded on the morning of the 22d, with two Companies of Sappers and a detachment of the 32d Pioneers, to improve the road from Camp to the Chumla Valley.

SAPPERS AND MINERS.
50 Rank and File under Lieutenant Tucker.
Detachment of 32nd, 124 Rank and File, under Lieutenant Drake.

3. We found the Pass to be about two miles in length, and unoccupied by any enemy. The road was fair.

4. Shortly after one, p.m., I was joined at the mouth of the Pass by a detachment of Cavalry under Lieutenant-Colonel Probyn, C.B., V.C., and the 20th Punjab Infantry under Major Brownlow. The Sappers and Miners returned towards Camp to repair the road, Major Brownlow occupied the foot of the Pass, and I proceeded with the Cavalry down the Chumla Valley in the direction of Kagah.

Guide Cavalry, 100 Sabres.
11th Bengal Cavalry, 100 Sabres.
20th Punjab Infantry, 250 Rank and File.

5. As we passed the Kotul leading into Bonair on our left, and about 2 ½ miles distant, we observed that it was occupied in force by the Bonairwals; but, from all we could learn, none had descended into the valley.

6. Arrived at Kagah (four miles from Camp). The reports that the valley was quite unoccupied were confirmed, and I consider it desirable to take advantage of such a favourable state of affairs to push down the Valley as far as was compatible with the General's order to be in Camp by sunset.

7. Leading the main body of the Cavalry at Kagah, I proceeded with a small escort to Koona (seven miles beyond Kagah), and reached Kagah again about 4 ½ p.m.

8. On arriving at the foot of our Pass, we found that the Bonairwals had descended, and were still descending, in considerable numbers with the view of preventing our return. They attempted to gain possession of a patch of very broken ground at the extreme end of the valley, through which our road lay. It was necessary to prevent them, and to check them until Major Brownlow could come up in support: with this view the Cavalry charged in the most spirited way, and our object was attained. Major Brownlow occupied the broken ground with two Companies, and the Cavalry, under a small escort of Infantry, returned to Camp. The rear guard duties now devolved on Major Brownlow.

9. Emboldened by our continued retreat, the enemy had recovered from the effects of

Colonel

Colonel Probyn's charge, and by the time we had fairly entered the Pass, had assembled in great numbers, and had surrounded a picquet under Lieutenant Richmond on the north side of the Pass. It was long before it could be got down. By this time day-light had quite gone, and the remainder of the retiring was effected in dim moonlight. The enemy pressed Major Brownlow very closely, and several times came in amongst his men sword in hand. Eventually, as we drew into Camp, the Camp picquets became engaged, and Major Brownlow's trying duties ceased. Nothing could be better than the way the whole affair was conducted, nor than the conduct of both officers and men.

10. Our knowledge of the Chumla Valley does not extend much beyond Kooria. Its general shape and the position of the villages appear to be as shown by Major Walker's map. From Umbeyla to Kooria its surface is level and free from obstructions; beyond Kooria it is rugged and difficult. Confining myself to the portion of the valley between Umbeyla and Kooria, it is quite practicable for Field Artillery. The nullah banks are all low; water is abundant, and the land highly cultivated: fuel must be supplied from the hills; there is no jungle in the valley.

11. The people of Kooria informed us that the roads thence to Cherorai and to Nagrai were about equal in length, but that the Cherorai road was difficult for laden mules, and little used, while that to Nagrai was good.

CASUALTIES.

	Killed.	Wounded.				Horses.		
	Rank and File.	Native Officers.	Havildars.	Sepoys.	Sowars.	Killed.	Wounded.	
20th Punjab Infantry -	2	–	2	9	–	–	–	
Guide Cavalry - - -	–	–	–	–	2	–	–	1 Officer's charger and 1 Sowar's horse missing.
11th Bengal Cavalry. -	–	1	–	–	–	–	2	
	2	1	2	9	2	–	2	

(True copy.)

(signed) *T. Wright*, Major,
Assistant Adjutant General.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant-General, Head Quarters;—No. 3, dated Camp, crest of the Umbeyla Pass, 25 October 1863.

IN continuation of my No. 2 of the 23d instant, I have the honour to report, for the information of His Excellency the Commander-in-Chief, that yesterday morning the sick, both British and Native, all baggage except that absolutely necessary for efficiency, and all carriage rendered spare by this arrangement, were sent to the rear under a strong escort, whilst an Infantry Regiment occupied the spur of the Gurroo Mountain, which commands the Pass on the Bonair side, and protected the convoy as it filed down the Pass. At the same time parties from the Camp were employed in improving the road and in removing the worst of the obstacles. The enemy remained quiet, but large bodies of men, with numerous standards, were observed approaching the mouth of the Pass, and from information since received, it is known that these consisted of the tribes from the Northern Indus as per margin, with a portion of the Hindoostanees under Syud Mobaruck Shah. The night passed over quietly.

Hussunzyes.
Chuggurzyes.
Mudda Khail.

2. Soon after daylight this morning an attack was made upon the right picquets of the Camp by the hostile bodies which joined the enemy yesterday as above detailed. They were, however, repulsed by Major Keyes, commanding 1st Punjab Infantry, and driven off in the direction of Kagah. This affair was most skilfully managed by Major Keyes, who had only one man wounded, whilst the enemy left 10 bodies on the ground. Major Keyes' report is enclosed for His Excellency's information, and I would beg to bring to his notice the officers named by him,

especially Captain Hughes, commanding Peshawur Mountain Train, Lieutenant Davidson, second in command, and Lieutenant Pitcher, Adjutant of the 1st Punjab Infantry.

3. Whilst the attack was going on on the right, the heights above the left flank picquets were crowned by large bodies of men; and it has since become known that a simultaneous attack on both flanks of the camp had been arranged by the enemy, but the Bonair people, who were to have attacked the left flank, failed to keep their agreement. This has given great offence to the tribes engaged in the right attack, and the majority of them, but not the Hidoostanees, are believed to have returned to their homes. The loss of the enemy in the attack on the right is stated to have been 30 killed and a number wounded. Amongst the killed was the brother of a Syud of some note, of Chumla, although this tribe was reported in my last letter to have sent in a deputation to the Commissioner.

4. There appears to be reason to believe that the Bonair people have applied to the Akhoond of Swat for aid, and should they succeed in enlisting him in their cause, which is not improbable, as they are his spiritual followers, the object with which this force took the road of the Chumla Valley will be still more difficult of attainment. The influence of the Akhoond of Swat over all the Hill and Plain Tribes on the Peshawur Frontier is very great, and towards them he fills a position which I can best illustrate by comparing it with that of the Pope of Rome. If he declares against us, he will no doubt bring an immense accession of material as well as moral strength to the people of Bonair and the other tribes already in arms against us. In the meantime the halt of the force at the crest of the pass is not without its advantages. The situation is a menacing one, it obliges the enemy to keep a large body of men together, whom they will find it difficult for a continuance to feed, and it makes it indispensable for them to become the attacking party, in which case all the advantage is on our side.

5. In the meanwhile the security of the camp has been provided for, as far as possible, by occupying the heights which command the camp with strong parties of infantry. The picquets are all stockaded, and the approach to camp by the gorge is defended by a breast-work, and by guns in position. The rear has also been secured from attack. The front picquets are under the command of Colonel Hope, C. B., commanding the 71st Highland Light Infantry, the right flank is under the command of Lieutenant-Colonel Wilde, C.B., corps of Guides, the left flank under Lieutenant-Colonel Vaughan, 5th Punjab Infantry. His Excellency the Commander-in-Chief is already in possession of a plan of the camp, to which I would refer him for all further particulars of our position and defensive arrangements.

From Major *C. P. Keyes*, Commanding the 1st Punjab Infantry, to Major *T. Wright*, Assistant Adjutant-General Eusufzye Field Force; dated Camp, Umbeyla Pass, 25 October 1863.

I HAVE the honour to report, for the information of the Brigadier General Commanding Eusufzye Field Force, that, in obedience to orders received from Lieutenant-Colonel Wilde, C.B., Commanding the Right Defence, I occupied with my regiment, on the night of the 24th instant, the advanced picquets of the Right Defence.

2. A little after daylight on the morning of the 25th, the enemy showed on a ridge of hills opposite my picquets, and which from its vicinity to my position I considered it dangerous to allow them to occupy in any force. I called upon Lieutenant-Colonel Wilde, C. B., Commanding Right Defence, for support, and proceeded to dislodge them from the ridge. I had then about 200 men, 100 of whom I sent under Captain Davidson, second in command, to take the enemy in flank, and when he had sufficiently far advanced on the ridge occupied by the enemy, I advanced at the double to attack them in front and drove them from height to height, until I obtained a position which I could safely hold till reinforced.

3. This advanced position was on a ridge overlooking a plain 200 yards broad, over which the enemy had been driven. On the other side of this plain was a conical hill, the summit of which commanded the ridge at a range of 700 yards. On this the enemy were collecting from the plain by the villages of Lalloo and Kagah. They appeared to be coming in considerable force, which eventually amounted to between 2,000 and 3,000 men, I at once wrote off that I might be supported by a mountain train battery and a regiment, ordering my men to keep under cover, and not to return the fire of the enemy. Owing to the distance from camp, and the nature of the ground, these reinforcements did not arrive till 2 p. m. First arrived 150 European soldiers from Her Majesty's 71st and 101st Foot,

Foot, with Captain Fosbery, Musketry Instructor. The marksmen of this party were selected, and placed along the ridge. The men of the 1st Punjab Infantry being recalled and drawn up out of sight of the enemy, as also the 5th Goorkha Regiment, which joined shortly afterwards as soon as the Peshawur Mountain Train Battery arrived, they were brought up as near the ridge as possible without showing themselves to the enemy. The guns were then dragged up by hand into position marked by sections standing in their front, and immediately opened fire with shrapnell at a distance of 600 yards, the marksmen opening fire at the same time.

The conical hill held by the enemy was rocky and very precipitous, but essentially a weak position, having a line of retreat that would expose the retreating enemy to great loss, if closely pursued.

4. After the guns had fired two rounds, the 1st Punjab Infantry was advanced at the "double," supported by the 5th Goorkha Regiment, the whole of the Europeans keeping up the fire from the ridge.

5. The enemy did not stop to defend their position, but after firing a few shots, retreated at their utmost speed; to the admirable practice of the guns, and the withering fire of the marksmen, may be attributed our obtaining the hill without any loss. The enemy left several bodies on the ground, and their total loss has since been ascertained to have been 33 killed and upwards of 40 wounded.

6. The first discharge of shrapnell having killed their men on the summit of the hill, great credit is due to Captain Hughes, commanding the Peshawur Mountain Train Battery, for the admirable manner in which he brought up his guns over the very difficult ground he had to traverse, and his very effective practice when brought into action; also to Major Campbell, commanding the 5th Goorkha Battalion, and the officers commanding the European companies, for the manner in which they carried out the object in view, of masking all movements until the moment of attack.

As soon as the enemy were seen to have repassed the village of Lalloo, on their way to the plains, the troops were dismissed to their quarters.

On the first advance from the picquets our loss was one private wounded, the only casualty of the day.

Captain Davidson took up his flanking party with great spirit, and performed essential service in driving back the enemy.

I cannot close this report without bringing to the notice of the Brigadier General commanding Eusufzye Field force the energy, intelligence, and zeal of Lieutenant and Adjutant H. W. Pitcher, who was foremost in every movement, and who by his quick perception rendered me most effective aid. I consider him a most promising young officer.

(signed) *A. Wilde*, Lieutenant Colonel,
Commanding Right Flank Picquets.

From Lieutenant Colonel *A. Wilde*, C.B., for Brigadier General Commanding Eusufzye Field Force, to the Adjutant General, Head Quarters; No. 4, dated Camp Crest of the Umbeyla Pass, 27 October 1863.

In my letter No. 3 of the 25th instant, I mentioned that a simultaneous attack upon both the right and left flanks of the camp had been arranged by the enemy to come off on the 25th instant; but that the Bonair men, upon whom it had devolved to attack the left, had failed to keep their agreement on that day. Large bodies of men, however, were seen collected upon the Gurroo Mountain on the 25th instant, and it was therefore necessary to provide both against the threatened attack on the left, and also against the possibility of the enemy making an attempt from the spurs of the Gurroo upon a convoy of sick, &c., about to be sent to the rear.

2. With this view I reinforced the left picquets under Lieutenant Colonel Vaughan yesterday morning, with the marksmen of the two British regiments, 30 in number, under Lieutenant Fosbery (who joined the force by order of His Excellency the Commander in Chief, for the purpose of testing the value of a shell invented by him), 200 men of the 71st Highland Light Infantry, the 5th and 6th Punjab Infantry, and the Huzara Mountain Battery. Lieutenant Colonel Vaughan was thus prepared either to repel any attack on the left picquets, or to act offensively, if the designs of the enemy should appear to be to attack the convoy in the Pass.

3. These troops took up a position near the highest and most exposed of the left picquets, known in camp by the name of the "Eagle's Nest."

This picquet occupies the top of a very steep rocky knoll, which rises out of the southern face of the Gurroo, and is the apex of that portion of the mountain which overlooks the left flank of the camp. The knoll had been hastily prepared for defence the preceding afternoon, and had been surrounded with a breastwork; the breastwork was capable of containing 110 men, namely, the 30 marksmen and 80 of the 20th Punjab Regiment Native Infantry, and some large rocks at the base of the knoll sheltered 120 more, namely, 70 of the 20th, and 50 of the 3rd Punjab Infantry. It was necessary to hold this position with a picquet by day, in order to give security to the grass-cutters, &c., of the camp; but its distance from camp, and the consequent difficulty of reinforcing it quickly, had made it unadvisable to hold it by night until the ground below had been securely occupied, and the picquet had been subsequently withdrawn at sunset to a lower position.

4. The troops were no sooner observed by the enemy on the mountain above to be taking up their position, than a large body of them descended by the different spurs, and with loud cries attacked at once the troops drawn up and the "Eagle's Nest" in the most determined manner. The steady fire of the Huzara Mountain Battery checked such of the enemy as came under its effect, and afforded a favourable opportunity for the 6th Punjab Infantry, which was in reserve, to charge them. But the nature of the ground prevented the guns from being brought to bear at first upon those who assailed the "Eagle's Nest," and they were able to swarm up the steep sides of the knoll, and to plant their standards immediately under the breastwork, where the fire of the garrison could hardly reach them. They were, however, ultimately repelled by the excellent shooting of the marksmen, and by the steady fire of the 20th Punjab Native Infantry, aided by the flanking fire of the guns, and the Enfield rifles of the 71st Highland Light Infantry. The first effort of the enemy was followed by others of a less determined character, which were more easily repulsed, and until late in the evening, a heavy fire was kept up from the spurs and ridges of the mountain, from which the troops suffered some casualties, though kept under cover as much as possible. For further particulars I would refer His Excellency to the enclosed reports from Lieutenant Colonel J. L. Vaughan, who commanded the troops, and from Major Brownlow, who commanded in the "Eagle's Nest."

5. The enemy being in such force on the mountain, and the importance of continuing to hold this position having become apparent, I fully concurred with Lieutenant Colonel Vaughan's recommendation that the troops should not be withdrawn at nightfall (as had been intended), even at the risk of a renewal of the attack. The enemy, however, attempted no further offensive movement. To-day the "Eagle's Nest" has been strengthened, and an adjoining eminence which supports it has been stockaded, and both positions will be permanently held in the strength as per margin.

"Eagle's Nest."
40 British Infantry.
300 Native ,,
Vaughan's Picquet.
Huzara Mountain Battery.
60 British Infantry.
300 Native ,,

6. The return of the killed and wounded in this attack will best explain to His Excellency the severe nature of the contest, particularly at the "Eagle's Nest" itself. I much regret the loss of the two young officers who were killed, Lieutenant Richmond, of the 20th Punjab Native Infantry, and Lieutenant Clifford of the 3rd Punjab Infantry. The former officer was mentioned in my letter of the 23rd for the gallantry in the attack on the reconnoitring party the day before. He was killed whilst encouraging his men by his personal example in their gallant resistance to the enemy. Lieutenant Clifford, Adjutant of the 1st Punjab Cavalry, was on leave when the force was formed, and joined it as a volunteer, to serve with an infantry regiment. He was killed whilst leading a sally at the head of the party of his regiment from the rocks at the foot of the "Eagle's Nest." Subador Major Meer Ally Shah, of the 20th Punjab Native Infantry, died like a gallant soldier at his commanding officer's side, recommending his son to Major Brownlow's protection.

7. I beg to ask his Excellency's approval of the conduct of Lieutenant Colonel J. L. Vaughan, who commanded on this occasion, and of the officers and others mentioned by him and by Major Brownlow. Lieutenant Colonel Vaughan's management of the troops was excellent, and I consider myself indebted to his clear judgment for the very successful result of the action. Major Brownlow has been already noticed in my report of the 23d for the able way in which he covered the retreat

retreat of the reconnoitring party, and on this occasion also he greatly distinguished himself by his ready resource and gallant personal bearing. Captain Hoste's charge at the head of the 6th Punjab Infantry was very bold; but was unfortunately carried too far, whence the severe loss the regiment sustained.

8. The conduct of all the troops engaged was, I am assured by Lieutenant Colonel Vaughan, excellent. The admirable shooting of the marksmen, and the steadiness and gallantry of the 20th Punjab Native Infantry, have been already noticed. The fire of Captain De Bude's guns was most ably directed, and of the greatest service. The detachment of the 71st Highland Light Infantry behaved with great steadiness under Major Parker, and greatly assisted the retirement of the 6th Punjab Infantry after their gallant but hasty charge. The 5th Punjab Infantry, under Lieutenant C. E. Stewart's command, was chiefly employed to cover and support the guns; but one company, under Lieutenant Beckett, did excellent service in supporting the advance of the 6th Punjab Infantry, and withdrew in the best order after the 6th had regained the position.

9. Whilst the attack on the left flank was going on, the enemy made a demonstration in the front of Camp, but retired at dusk.

Lieutenant Drake, of the 32d Native Infantry (Pioneers), was unfortunately wounded here; but this was the only casualty.

10. This morning some of the Bonairs approached the "Eagle's Nest," and asked permission to take away their dead, which was granted. Some conversation was held with them, both by the Commissioner and myself, which it is just possible may lead the people of Bonair to understand how completely they have mistaken our intentions.

Their demeanour was courteous, and they conversed unreservedly with us; but I gathered from their manner that they were not in the least humbled.

11. Our information as to the loss of the enemy yesterday is as follows. I give it in detail, that his Excellency may understand how general is the combination of the Bonair tribes against us:—

Slurzye - - - - - - -	48 killed.
Dowlazye - - - - - - -	38 killed.
Gadarzye - - - - - - -	57 killed.
Hindoostanees - - - - - -	15 killed.
Total - - -	158 killed.

Upwards of 30 bodies of Hindoostanees were, however, counted by us upon the ground during the short truce this morning, so that probably the loss of the Bonair tribes is also under-stated above. Indeed, the latest accounts make the enemy's loss 250 killed, and state that the wounded have been carried in numbers to their homes, or crawled to the nearest Bonair villages.

12. Enclosed is a Casualty Return, showing the casualties in the force on the 26th.

P.S.—I request the favour of your supplying Colonel Norman, Secretary to Government, with a copy of this Despatch.

Note—This despatch was drafted before the Brigadier General was wounded on the 20th instant, and was approved by him.

(signed) *A. Wilde*, Lieut. Colonel,
for Brigadier General Sir N. Chamberlain.

Eusufzye Field Force.

Casualty Return, Killed and Wounded, of the above Force, on the 26th October 1863.

Regiments.	Killed.					Wounded.					Horses.		Mules.		Remarks.
	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	Killed.	Wounded.	Killed.	Wounded.	
½ C. 19 Royal Artillery	–	–	–	–	–	–	–	–	–	1	–	–	–	–	
Peshawur Mountain Battery	–	–	–	–	–	–	–	–	–	–	–	–	1	–	
Huzara ditto	–	–	–	–	–	–	1	–	–	2	–	–	–	1	
71st Native Light Infantry	–	–	–	–	1	–	–	1	–	4	–	–	–	–	
Guide Infantry	–	–	–	–	1	–	–	–	–	–	–	–	–	–	
1st Punjab Infantry	–	–	–	–	–	–	–	–	–	1	–	–	–	–	
3d ditto	1	–	1	–	2	–	2	–	1	4	–	–	–	–	Lieut. Clifford (killed).
5th ditto	–	–	–	–	3	–	–	–	–	5	–	–	1	–	
6th ditto	–	–	2	–	9	–	5	2	1	35	–	–	–	–	
20th ditto	1	1	–	–	8	–	1	–	–	29	–	–	–	–	Lieut. Richmond (killed).
32d ditto	–	–	–	–	–	1	–	–	–	–	–	–	–	–	Lieut. Drake (wounded).
5th Goorkhas	–	–	–	–	1	–	–	–	–	1	–	–	–	–	
Survey Department	–	–	–	–	–	1	–	–	–	–	–	–	–	–	Lieut. Barron, R.A. (wounded).
Total	2	1	3	–	25	2	9	3	2	82	–	–	2	1	

Examined.
(signed) *T. Wright*, Major,
Assistant Adjutant General.

(signed) *A. Wilde*, Lieut. Col.,
for Brigr. Genl. Comdg. Eusufzye Field Force.

Present State of the Eusufzye Field Force.

Camp, Umbeyla Pass, 23 November 1863.

Regiments.	Effective.					Sick.					Remarks.
	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	
½ C. 19th Royal Artillery	3	–	5	1	46	–	–	1	–	13	
Peshawur Mountain Battery	3	3	8	2	115	–	–	1		9	
Huzara ditto	3	2	–	–	145	–	–	–	–	7	
3rd Punjab ditto	1	1	–	–	43	–	–	–	–	4	
Guide Cavalry	2	4	–	–	56	–	–	–	–	1	
11th Bengal Cavalry	3	5	–	–	75	–	–	–	–	1	
Sappers and Miners	1	1	–	–	71	–	–	–	–	–	
71st Highland Lt. Infantry	20	–	21	19	418	1	–	1	–	14	
101st Royal Bengal Fusiliers	20	–	30	18	431	–	–	1	–	20	
Guide Infantry	4	17	45	19	475	1	1	4	2	29	
1st Punjab Native Infantry	7	10	19	14	308	–	2	5	–	55	
3rd ditto ditto	6	14	30	9	381	–	–	–	–	10	
5th ditto ditto	6	10	23	12	357	–	2	2	–	17	
6th ditto ditto	5	5	15	12	273	–	3	1	–	28	
14th ditto ditto	4	8	22	9	229	–	2	5	–	79	
20th ditto ditto	6	4	24	6	293	–	1	1	2	36	
32nd ditto ditto	6	1	39	10	479	–	–	–	–	26	
4th Goorkhas	7	11	36	11	333	–	–	2	1	40	
5th ditto	4	8	30	7	318	1	–	1	–	41	
Total	111	104	347	149	4,846	3	11	25	5	430	

(signed) *T. Wright*, Major,
Assistant Adjutant General.

From Major *C. H. Brownlow*, Commanding 20th Punjab Infantry, and Commandant "Eagle's Nest" Picquet on 26 October 1863, to Lieutenant-Colonel *J. L. Vaughan*, Commanding Left Picquets Camp; dated, Camp, Chumla Pass, 27 October 1862.

I HAVE the honour to report as follows on the attacks made by the enemy on the post under my command during the 26th instant.

My party, as detailed in the margin, occupied a breast-work of stones on high ground showing a semi-circular front of about 90 feet. Below this, the ground for about 80 yards was level and commanded the work. Beyond the plateau, the hill, which is well wooded and studded with rocks, again rose, and its crest (distant 500 yards from our breast-work) was occupied by about 2,000 of the enemy, protected by a similar defence.

UP to 3 P. M.
30 Marksmen of the 71st H. L. I. and 101st R. B. Fusiliers.
80 Marksmen of the 20th Punjab Infantry.
AFTER 3 P. M.
40 Marksmen of the 71st H. L. Infantry.
50 Marksmen of the 5th Punjab Infantry.
30 Marksmen of the 5th Punjab Infantry.

2. About 12 o'clock, noon, the Bonairwals, who had hitherto fired only an occasional shot, commenced to move down from their position, matchlock-men posting themselves most advantageously in the wood, and opening a very galling fire on us, while their swordsmen and others advanced boldly to the attack, charging across the plateau in our front in the most determined manner, and planting their standard behind a rock within a few feet of our wall. The steady fire, however, with which they were received, rendered their very gallant efforts to enter our defences unavailing, and they were driven back and up the hill, leaving the ground covered with their dead; their matchlock-men only maintaining the fight and continuing to harass us much.

3. The movements to our left of the column under your immediate command next attracted the attention of the main body of the Bonairwals. When repulsed by you, and retreating up the hill, they again came under our fire, and suffered severely from the excellent shooting of the 71st Highland Light Infantry, and 101st Royal Bengal Fusiliers. On the 6th Punjab Infantry being withdrawn from the ridge on my left, the enemy again came down the hill, and with loud yells, rushed sword in hand to the assault of our position, but were again and finally repulsed; the affair for the rest of the day subsiding into an exchange of shots when either party exposed itself.

CORPS.	KILLED.			WOUNDED.		
	European Officers.	Native Officers.	Men.	European Officers.	Native Officers.	Men.
71st H. L. I.	- -	-	1	- -	-	4
101st R. B. F.	- -	-	-	- -	-	2
3d P. Infy.	- -	-	2	- -	-	-
5th ditto	- -	-	1	- -	-	1
20th ditto	1	1	8	- -	1	27
		14			35	
GRAND TOTAL			49			

4. I regret to say that our losses during the day were severe, amounting to 50 killed and wounded of all ranks, being nearly half the number that the work held at any one time.

5. The conduct of all under my command during the day was admirable; but I would desire especially to bring to notice the undermentioned officers and men, whose coolness and gallantry were conspicuous:—

Captain Butler, V. C., 101st Royal Bengal Fusiliers.
Lieutenant G. V. Fosbery, late 4th European Regiment.
„ J. Bartleman, 20th Punjab Infantry.
Assistant-Surgeon R. T. Lyons, 20th Punjab Infantry.
Private Stewart, 71st Highland Light Infantry.
„ Clapperton, do. do.
„ Barber, 101st Royal Bengal Fusiliers.
Subadar Owdoo, 20th Punjab Infantry.
Havildar Meer Mahomed, do.
Sepoy Lena Sing, do.
„ Jowala, do.

6. Among the killed of my own regiment, I have to lament the loss of many good soldiers; Lieutenant G. M. Richmond, a young officer of great promise (whose reckless gallantry cost him his life,) and the Subadar Major Meer Ally Shah (who will not easily be replaced,) being of the number who fell.

7. In conclusion, I beg to point out that my report and return of casualties refer only to the "Eagle's Nest" Picquet itself, which occupied my entire attention during the attack. I should however add, that the strong rocks in rear of and below that post were occupied all day by detachments amounting to 120 men at a time, of different regiments, viz., the 3d, 6th, and 20th Punjab Infantry; and I regret to add that Lieutenant Clifford, of the 3d Punjab Infantry, was killed while gallantly leading a sally on the enemy from that position.

8. Enclosed is a nominal roll of the killed and wounded.

From Lieutenant-Colonel *J. L. Vaughan*, Field Officer of the Left Picquet, to the Assistant Adjutant-General, Eusufzye Field Force; dated Camp, 27 October 1863.

I HAVE the honour to make the following report of what occurred yesterday at the left picquet.

2. The Brigadier General ordered me in the morning to try and divert the enemy's attention from the rear of camp, as a convoy of sick, baggage, &c., was about to proceed to the rear. To enable me to carry out this, he placed at my disposal the troops as per margin. These troops proceeded to the neighbourhood of the "Eagle's Nest" Picquet, which was held by 150 men of the 20th Native Infantry and 50 of the 3d Punjab Infantry, with 30 marksmen selected from the 71st and 101st Regiments, the whole under the command of Major Brownlow, 20th Native Infantry. The force detailed marginally above was drawn up on and about a small Mamelon about 400 yards west of the "Eagle's Nest" Picquet, in the following order from right to left:—

Huzara Mountain Train.
Detachment 71st H. L. Infantry.
5th Punjab Infantry.
6th ditto ditto.

Detachment, 71st H. L. Infantry.
6th Punjab Infantry.
Huzara Mountain Train.
5th Punjab Infantry.

The latter regiment in extended order lined the crest of the Mamelon, with three companies in support of the guns. The 71st Highland Light Infantry was in connection with the "Eagle's Nest" Picquet.

3. The troops were hardly in position when a very large body of the enemy rushed down the steep slopes of the mountain above, and with loud cries attacked at once the picquet and the troops. The Mountain Train guns fired upon the enemy with shrapnell, common shell, and round shot, and this fire checked those who were advancing against the troops in position, but not those advancing against the picquet. The latter was attacked with the greatest determination, and two of the enemy's standards were planted close under the parapet which crowns the steep sides of the picquet hill. All the efforts of the picquet failed to dislodge the enemy from the position for some time, notwithstanding that the direct fire from the picquet was aided by a flanking fire from the Mountain Train guns, and from the Enfield rifles of the 71st. But as the attack upon the picquet will form the subject of a separate report from Major Brownlow, I shall only remark here that so desperately was it attacked, and so hardly was it pressed, that it became necessary for me to reinforce it in the course of the action with the company of the 71st Highland Light Infantry and a company of 5th Punjab Infantry.

4. When the enemy had been checked by the guns they were charged by the 6th Punjab Infantry, but the regiment was unfortunately carried too far in the ardour of pursuit, and lost heavily before it could regain the position. I supported it by a company of the 5th Punjab Infantry, and the Enfields of the 71st, and the firing of the guns prevented the enemy from pressing the retirement.

5. During the rest of the day the enemy kept up a heavy fire from the low hills and broken ground in front of the troops, but, the ground affording excellent cover, could do little damage.

6. The Brigadier General had wished me to bring the troops back to camp by sunset, and to withdraw the "Eagle's Nest" picquet at the same time; but for reasons with which he is acquainted, and which I believe have satisfied him, I felt it impossible to carry out his wishes, and therefore maintained both positions during the night without annoyance from the enemy, who had evidently suffered very severely.

7. I am under the greatest obligations to Major Wright, Assistant Adjutant General to the force, whom the Brigadier-General, at my special request, allowed to accompany me during the day, and I cannot speak in too high terms of the admirable service rendered by Major Brownlow in the defence of the "Eagle's Nest," picquet, and of Captain De Bude in the management of his guns. I beg also to notice the gallantry with which Captain W. D. Hoste led the charge of the 6th Punjab Infantry, and the assistance I received from Major Parker, commanding the detachment, 71st Highland Light Infantry, and Lieutenant Stewart, who commanded the 5th Punjab Infantry.

Annexed is Major Brownlow's report of the defence of the picquet and a return of the casualties among the troops.

CASUALTY RETURN of the Troops under the Command of Lieutenant-Colonel *Vaughan*, Commanding Left Picquet on the 26th October 1863.

	Killed.					Wounded.					Mules.		REMARKS.
	European Officers.	Native Officers.	Sergeants and Havildars.	Buglers, Drummers.	Rank and File.	European Officers.	Native Officers.	Sergeants and Havildars.	Buglers, Drummers.	Rank and File.	Killed.	Wounded.	
Detachment 71st Highland Light Infantry	–	–	–	–	1	–	–	1	–	4	–	–	1 private wounded with Lieut.-Colonel Vaughan; the other casualties on "Eagle's Nest" Picquet.
101st Royal Bengal Fusiliers	–	–	–	–	–	–	–	–	–	2	–	–	On "Eagle's Nest" Picquet.
Huzara Mountain Battery	–	–	–	–	–	–	1	–	–	2	–	1	With Lieut.-Colonel Vaughan.
3rd Punjab Infantry	1	–	–	–	2	–	–	–	–	1	–	–	On "Eagle's Nest" Picquet.
5th ditto	–	–	–	–	3	–	–	–	–	5	1	–	With Lieut.-Colonel Vaughan.
6th ditto	–	–	2	–	9	–	5	2	–	40	–	–	– ditto – ditto
20th ditto (Native Infantry)	1	1	–	–	8	–	1	–	–	27	–	–	On "Eagle's Nest" Picquet.
TOTAL	2	1	2	–	23	–	7	3	–	81	1	1	

(signed) *J. L. Vaughan*, Lieut.-Colonel,
Commanding Left Picquet.

(True copy.)

(signed) *T. Wright*, Major,
Assistant Adjutant-General.

From Brigadier-General Sir *N. Chamberlain*, K.C.B., commanding Eusufzye Field Force, to the Adjutant-General, Head Quarters.—(No. 5, dated Camp, Crest of the Umbeyla Pass, 31 October 1863.)

HIS Excellency the Commander in Chief will recollect that, in my letter No. 3 of the 25th instant, I mentioned that the people of Bonair had applied to the Akhoond of Swat to aid them in resisting the advance of the force, and stated my opinion that, in the event of his doing so, the object with which the force had adopted the route of the Chumla Valley would of course be rendered very difficult of attainment. I have now to report that the Akhoond has actually joined the Bonairs, and that he has brought with him upwards of 100 standards from Swat, each standard representing, probably, from 30 to 40 footmen, and, it is said, 120 horsemen. Besides the tribe with which he is more immediately connected, viz., the Swatees, he has summoned the people of the remote country of Bajour (on the border of the Cabul territory) the Mullazyes of Dheer, under their Chief Ghuzzun Khan; and other distant tribes whose names even are hardly known except to the officers who have served long on the frontier. There is, in fact, a general combination of almost all the tribes, from the Indus to the boundary of Cabul, against us. Old animosities are for the time in abeyance, and, under the influence of fanaticism, tribes usually hostile to each other are hastening to join the Akhoond's standard, and to fight for the sake of their common faith. The Akhoond has hitherto been opposed to the Sitana Moulvie, who represents an exceptional sect of Mahomedans; but at present the two are understood to be on friendly terms, and it is certain that the whole of the Hindoostanee colony are either at, or on the way to, Umbeyla.

2. It is necessary that I should place the state of affairs thus distinctly before his Excellency, in order that he may understand how entirely the situation has altered since the force entered the Umbeyla Pass, and that instead of having to deal with the Mahabun tribes, with a view to the expulsion of the Hindoostanees from that mountain, we are engaged in a contest in which not only are the Hindoostanees and the Mahabun tribes (including even some Judoons and Khodakhails) accessories, but also the Swatees, the Bajourees, and the Indus tribes north of the Burrendo, with a large sprinkling of the discontented and restless spirits from within our own border. I feel certain that his Excellency will

approve of my not making an advance into the Chumla Valley with my present force in the face of the above coalition. I could only do so by giving up the Umbeyla Pass. If the force moved into the valley, with a view to continue its advance towards the Mahabun, and to carry out the original views of the Government, it would be exposed to the enemy's incessant attacks, both by night and day, in flank and rear, and it would be impossible, in the face of such numbers, to protect adequately a long line of laden animals to which would be daily added an ever-increasing number of wounded and sick. On the other hand, if the force merely moved into the valley with a view to take up a position in the open ground, it would still lose its communication with the rear, and whenever it required fresh supplies of provisions or ammunition, or to clear the camp by sending sick and wounded to the rear, it would have to re-take the pass, and to re-occupy, at great sacrifice of life, the very ground from which it had advanced. Further, I have felt it right not to forget, that if this force should be seriously compromised by a hazardous movement in advance, there are not, within a very great distance, the troops necessary to meet any difficulty which would be certain, under such an eventuality, immediately to arise, either within or beyond the border. In fact my judgment tells me that, with our present numbers, the only way to uphold the honour of our arms and the interests of the Government, is to act on the defensive in the position the force now holds, and trust to the effect of time, and of the discouragement which repeated unsuccessful attacks are likely to produce upon the enemy, to weaken their numbers, and to break up their combination.

3. The first result of the combination between the Akhoond and the Moulvie was an attack upon the right picquets of the camp, early yesterday morning, by the Hindoostanees, and an almost simultaneous attack upon the front of the camp by the Swatees. The front attack was repulsed under my personal superintendence, without difficulty, by the good practice of the artillery under Captain Tulloh, and the fire of Her Majesty's 71st Highland Light Infantry, and the 101st Royal Bengal Fusiliers, which lined the breastworks, under Colonel Hope, C.B., and Lieutenant-Colonel Salusbury respectively. Some of the enemy behaved with considerable boldness, and afforded an opportunity for the 5th Goorkha Regiment to make a spirited charge. They left 40 dead bodies on the ground, which have been recognised as men from Swat and Raneezye, and must have lost heavily in addition, though, according to custom, they carried off as many of their dead as they could. The attack by the Hindoostanees on the right was directed against the extreme right picquet, known as the "Crag" picquet. A little before daylight this picquet was attacked in force by the enemy, and its garrison driven in. It was, however, brilliantly re-taken by Major C. P. Keyes, commanding 1st Punjab Infantry, as soon as the day broke, at a loss to the enemy of nearly 60 killed. For the particulars of this most successful affair I beg to refer his Excellency to the enclosed reports from Major C. P. Keyes, commanding 1st Punjab Infantry, and Lieutenant-Colonel A. T. Wilde, C.B., who commands the right defences; I feel sure that I only anticipate his Excellency's judgment in stating that I consider the re-capture of the "Crag" by Major Keyes a most brilliant exploit. The decision and determination Major Keyes displayed, stamp him as possessing some of the highest qualifications of an officer, and I recommend him strongly to his Excellency's favour.

4. Major Keyes in his report brings to notice the distinguished conduct of Lieutenant Pitcher, Adjutant 1st Punjab Infantry, and of Lieutenant Fosbery, of the late 4th European Regiment, and recommends them for the Victoria Cross. I place his recommendation, in which I entirely concur, in the hands of his Excellency, and would further submit that Major Keyes himself well deserves the same distinction.

5. Major Brownlow, commanding the 20th Punjab Native Infantry, became, on the arrival of the regiment at the ground, the senior officer, but immediately adopted Major Keyes' suggestion, that he should advance by a ridge which runs to the right of the Crag and threaten the enemy's rear. There is no doubt that this movement most materially aided the success of Major Keyes' attack in front, though it deprived Major Brownlow of the opportunity of sharing in the actual conflict at the Crag.

6. With reference to the list of native officers and men who distinguished themselves, given in Major Keyes' report, I have the honour to state that a standing

Standing Committee has been formed in camp to investigate all such claims, and that its proceedings shall be forwarded as soon as practicable.

7. I inclose a casualty roll.

8. I think I have only to add to this report that the 14th Native Infantry joined the force on the 27th, and the 4th Goorkha Regiment, and half No. 3 Punjab Light Field Battery, on the 29th instant.

9. A copy of this report has been forwarded to Colonel Norman, C. B., for the information of the Government.

From Lieutenant-Colonel *A. Wilde*, C. B., Commanding Right Flank Picquets, to the Assistant Adjutant-General, Eusufzye Field Force,—(dated Umbeyla Pass, the 31st October 1863).

I HAVE the honour to forward, for the information of Brigadier-General Sir Neville Chamberlain, K. C. B., the enclosed reports of the successful defeats of the enemy, on the 25th and 30th of October, when they attacked the advance picquets of the Right Defence.

2. Major C. P. Keyes, Commandant of the 1st Punjab Infantry, commanded in person on both occasions, and from my knowledge of the ground and scene of their operations, and from inquiries made on the spot as soon as I could reach these picquets, I can confidently assert that his conduct and management of the troops as they successively reached him in support, mainly contributed to the signal defeat of the enemy.

3. The attack upon the "Crag Picquet," occupied, as it was, by the enemy in force, was, by the concurrent testimony of all the officers and men who witnessed it, a most daring and brilliant feat of arms, and to Major Keyes is due the credit of not only having planned it, but in person he led on his men to the assault with a perseverance and intrepidity never surpassed.

4. Major Keyes was gallantly supported by Lieutenant Fosbery, of the late 4th European Regiment, and his Adjutant, Lieutenant H. Pitcher; and I trust that the Brigadier-General will deem the conduct of Major Keyes and his officers deserving of a recommendation to his Excellency the Commander-in-Chief, for the reward of gallantry so highly prized by an officer serving in her Majesty's forces.

Major C. P. Keyes and Lieutenant Pitcher were both wounded in the assault on the picquet.

From Major *C. P. Keyes*, Commanding 1st Punjab Infantry, Punjab Irregular Force, to the Assistant Adjutant-General, Eusufzye Field Force,—(dated Camp, Umbeyla Pass, the 31st October 1863).

I HAVE the honour to report, for the information of Brigadier General Sir Neville Chamberlain, K. C. B., Commanding Eusufzye Field Force, the particulars of an attack made by the enemy, on the morning of the 30th October 1863, upon the advance picquets of the Right Defence, the whole of which were held by the 1st Punjab Infantry and a company of the Guide Corps under my command.

2. Above the main picquets is a high rock, which I will, for reference, call "The Crag." The ascent to this is most precipitous, the path leading to its top narrow and difficult, and where the summit is reached there is but little level ground to stand upon: it was, however, necessary to occupy it, as it commanded the lower picquets, and I placed a small party of 12 men in it, as much as it could conveniently hold. About half an hour before daylight on the morning of the 30th instant, heavy firing commenced on the "Crag," and it soon appeared that the picquet was hard pressed by the enemy. I immediately detached all the men I could spare from the lower picquets in support, and accompanied by Lieutenant H. W. Pitcher, the Adjutant of the 1st Punjab Infantry, I advanced myself with about 20 picked men to their assistance, but before I could reach the top of the "Crag," my small party there had been overpowered and driven off the "rocks," though they still were holding the ground lower down the hill.

Finding this important position lost, I ordered my men to take cover from the enemy's fire beneath the overhanging rocks, about 20 paces from the summit, and determined to wait till daylight should enable me to distinguish friend from foe, and reinforcements should reach me from Colonel A. Wilde, C. B., Commanding Right Defence.

As the day broke, I observed the 20th Punjab Native Infantry enter the main picquet below, and, convinced of the danger of allowing the "Crag" to remain for even so short a time in the enemy's hands, I directed my men to fix swords and charge. After a most exciting and hand-to-hand fight, we recovered the position, driving the enemy out at the point of the bayonet, with a loss to them of 54 killed on the spot and seven wounded.

Difficult from the nature of the ground, and hazardous as undoubtedly the undertaking

was, I felt that, should the enemy (many hundreds of whom were in the rear) once understand that their advanced party had gained an advantage over our own troops, they would quickly occupy the position in force, and render the lower picquets untenable from their raking fire. The result proved the correctness of my view of the case, and the signal defeat of the enemy on the "Crag," and the sight of their three standards still flying on the picquet where they had planted them, but surrounded by our own instead of their men, seem to have conveyed a panic to the rest, and they quickly disappeared down the mountain.

4. From the nature of the approach to the top of the "Crag," amongst the large rocks, one or two men only could advance at one time; and while I ascended one path I directed Lieutenant Fosbery, of the late 4th European Regiment, to push up another at the head of a few men. He led this party with the greatest coolness and intrepidity, and was the first man to gain the top of the "Crag" on his side of the attack. Lieutenant H. W. Pitcher, equally cool and daring, led a party of men up to the last rock, until he was knocked down and stunned by a large stone thrown from above within a few yards of him.

If the Victoria Cross be the award for coolness and daring courage in the presence of great dangers, these two officers have well earned that distinction. This is the second time within the last few days, that it has been my duty to report upon the high soldier-like qualities possessed by Lieutenant H. W. Pitcher, Adjutant, 1st Punjab Infantry.

5. Lieutenant Fosbery, of the late 4th European Regiment, had been on duty the day before at my picquet with a party of sharpshooters of her Majesty's 71st and 101st Regiments, and remained at my picquet during the night, expecting to be on duty in the morning; when attacked he joined my regiment, and I beg to record the assistance he gave me, and the excellent service he performed.

6. The following native officers and men were most forward on the occasion:—

Subadar Ahmed Khan, Guide Corps.

Sepoy Summunder, Guide Corps (made himself especially conspicuous); also a Havildar and four men of the same corps who were under fire within 25 yards of the enemy, but whose names I don't know.

1st Punjab Infantry.

Subadar Bahadoor Habeeb Khan, Subadar Major.
Subadar Pyabb.
Jemadar Toolsee.
Havildar Neaz Mahomed.
„ Syud Mahomed.
„ Moosullee.
Havildar Mahomed Noor.
Naick Mullick Aman.
„ Ahmed Khan.
Sepoy Ameen.
„ Mirza Ameer Beg.

Casualty Return is herein enclosed.

CASUALTY RETURN, Eusufzye Field Force; Camp, Umbeyla Pass, 30 October 1863.

REGIMENT.	Killed.					Wounded.					Horses.		Mules.		REMARKS.
	European Officers.	Native Officers.	Sergeants, Havildars.	Buglers, Trumpeters.	Rank and File.	European Officers.	Native Officers.	Sergeants, Havildars.	Buglers, Trumpeters.	Rank and File.	Killed.	Wounded.	Killed.	Wounded.	
½-C. Battery 19th Brigade Royal Artillery	–	–	–	–	–	–	–	1	–	1	–	–	–	–	At the front defences of the Camp.
Peshawur Mountain Train Battery	–	–	–	–	–	–	–	–	–	1	–	–	–	–	- ditto - ditto.
71st Highland Light Infantry	–	–	–	–	–	–	–	–	–	3	–	–	–	–	- ditto - ditto.
101st Royal Bengal Fusiliers	–	–	–	–	1	–	–	1	–	6	–	–	–	–	- ditto - ditto.
1st Punjab Infantry	–	–	1	–	3	2	1	2	–	14	–	–	–	–	At the "Crag" Picquet.
5th ditto	–	–	–	–	3	–	–	–	–	–	–	–	–	–	At "Eagle's Nest" Picquet.
5th Goorkha Regiment	–	1	–	–	4	–	1	1	–	6	–	–	–	–	At the front defences of the camp.
TOTAL	–	1	1	–	11	2	2	5	–	31	–	–	–	–	

OFFICERS WOUNDED.

Major C. P. Keyes, Commanding 1st Punjab Infantry,
Lieutenant H. W. Pitcher, Adjutant, 1st Punjab Infantry.

(signed) *N. Chamberlain,*
Brigr.-Genl. Comdg. Eusufzye Field Force.

Examined.

(signed) *T. Wright,*
Major, Asst. Adjt.-Genl.

From-Brigadier General Sir *N. Chamberlain*, K.C.B., commanding Eusufzye Field Force, to the Adjutant-General, Army Head Quarters. (No. 6, dated Camp-Crest of the Umbeyla Pass, 7 November 1863.)

I HAVE the honour to continue my report of the proceedings of this force since the date of my last letter No. 5, dated 31st ultimo.

2. From the moment that the Bonairs placed themselves in declared hostility to us, it was evident that our line of communication by the Umbeyla defile could no longer be depended upon; and it became indispensable to seek some new line which should remove us further from the Gurroo Mountain, and enable us to communicate with our own territory beyond the reach of the Bonair tribe. To this end Colonel Taylor, chief engineer with the force, has caused the approach to our camp from the heights above our right flank to be examined by the officers of his department, and has selected a line of road by the villages of Khanpore and Sherdurra which answers the required conditions, and will, with some labour, be made sufficiently practicable for our purpose. When the new road is ready, our base will be at Permouli, the nearest village in the plains where water is obtainable, instead of at Roostum.

3. Besides the new road to the rear, working parties have been employed for some days in making a road in the direction of Umbeyla along the western slopes of the right ridge. The road will supersede that by the gorge, which is extremely bad, and commanded on both sides, and will enable the troops, whenever the time comes, to march forward, without coming under fire from the Gurroo Mountain.

4. From the date of my last report, until yesterday, the enemy attempted nothing more serious than firing as usual at our exposed breast-works and picquets, and advancing from time to time with standards, as if to attack the camp; these demonstrations were met with alacrity by our marksmen and the field guns in position, with some loss to the enemy, and little or none to ourselves. In the mean while the inactivity of the enemy has enabled me to employ the troops in improving the breast-works and defences generally, as well as the interior communications of the camp. Yesterday afternoon the enemy came out in considerable numbers and attacked the troops engaged in covering the working party which was making the new road to the front. I am sorry to say that in this attack we incurred some loss. I had gone down with the covering party in the morning, and finding that the officers with the covering party were all young and inexperienced, I placed it under the command of my orderly officer, Major G. W. Harding, of the Bombay Staff Corps, whose conduct on previous occasions had led me to place entire confidence in his coolness and determination, although up to the commencement of these operations he had had no experience in actual warfare. Major Harding having been unfortunately killed whilst in the execution of this duty, it has not been possible to ascertain with exactness the reasons which led him to delay the withdrawal of the covering party from the time when he received the order to that effect (certainly not later than 2 P.M.) until nearly dark. But there appears no doubt that he found it difficult to bring away some of his party who had been wounded; he consequently remained too long, and permitted himself to be surrounded. This was a serious error. When, however, Major Harding found himself overmatched and in difficulty, he behaved like a gallant soldier, and probably saved his detachment by his coolness and determination. Ensign Murray, of the 71st Highland Light Infantry, fell early in the action at the head of his men. The other officer killed, Lieutenant Dougal, 79th Highlanders, left the advanced breast-work without leave, accompanied by a single Sepoy, and is supposed to have been killed in attempting to join the covering party. My duty requires me to make this statement, though I cannot help appreciating the spirit which induced this officer to seek the post of danger. Lieutenants W. Battye, of the Guides, and J. S. Oliphant, 5th Goorkha Regiment, were wounded on this occasion.

5. The enclosed reports from Lieutenant-Colonel Wilde, C.B., commanding the right defences, and Major Brownlow, commanding the advanced picquet, will afford his Excellency further information on the subject of this affair, and show

the steps taken under my orders to reinforce and assist Major Harding. I regret to say that night having come on before the covering party got back to camp, it was impossible to recover the bodies of the killed until this morning, when troops were sent out for the purpose under Lieutenant-Colonel Wilde, C. B.

6. I enclose a Casualty Return.

7. A copy of this report has been sent to Colonel Norman, C. B., for the information of Government.

FROM Lieutenant-Colonel *A. Wilde*, C.B., Commanding Right Defence, to Major *T. Wright*, Assistant Adjutant-General, Peshawur Division. (No. 111, dated Camp, Umbeyla Pass, 8 November 1863.)

IN obedience to your memorandum of to-day's date, I have the honour to forward the report of Major Brownlow, commanding the advance picquets of the right defence, connected with the attack made by the enemy on the picquets, under the command of the late Major Harding, on the 6th instant.

2. About two o'clock P. M. on the day in question, Lieutenant-Colonel Taylor, C. B., of the Royal Engineers, and myself, directed the return of the working and covering parties on the new road towards camp. This order was issued on account of the distance these parties necessarily were from camp, and not with the knowledge that any attack was contemplated by the enemy. This order appears to have reached the late Major Harding, and it is impossible to say what his reasons were for not acting up to it.

3. About half-past three o'clock P. M. I received reports that Major Harding was being attacked in force by the enemy, and proceeded immediately to the advance picquets, sending to head quarters for reinforcements, and in less than an hour the Peshawur Mountain Train and 350 riflemen of the 4th and 5th Goorkha Regiments reached me at Major Keyes' picquet.

4. Before my arrival Major Brownlow had sent out every available man to reinforce the supports to Major Harding's picquets, and Lieutenant Jenkins in command of two companies of the Corps of Guides had proceeded to occupy the head of the spur below which Major Harding's picquet was situated. Lieutenant Jenkins performed this duty most ably, and drove back the enemy by charging them with his men and the 1st Punjab Infantry under Lieutenant Davidson when they attempted to gain a footing on the top of the ridge. It was eventually to this part of the field that Major Harding's party secured their retreat.

5. One hour only of the day remained when the reinforcements from camp reached me, and it became necessary to endeavour to cover the late Major Harding's retreat by the shortest route. I therefore directed Captain Chester, commanding the 4th Goorkha Regiment, to proceed in the direction of the beleagured picquet across the lower spurs; this was done, as far as the nature of the country and the light permitted, and Captain Chester's movements aided the retirment—some of his men even reaching the spur upon which Major Harding was fighting.

The guns of the Mountain Train protected by the 5th Goorkhas took up a position on one of the lower spurs, and checked the advance of the enemy on the picquet, also covering Captain Chester's advance to its assistance.

6. About sunset Major Harding commenced to retire up the ridge towards his supports, and the whole force gradually returned to camp. Major Harding was, I regret to say, wounded in the retirement, and was eventually lost in the darkness as his picquet fought its way up the ridge. He was the last man to leave the picquet, and his bearing throughout the day was that of a brave and gallant soldier.

Her Majesty's 101st Foot.
Corps of Guides.
4th Goorkha Battalion.
32d Bengal Native Infantry.
Muzbees Peshawur Mountain Train.

7. Early on the morning of the 7th, I had the honour to receive instructions from the Brigadier-General commanding the Eusufzye Field Force to move out with the troops as per margin, to recover the bodies of Major Harding and Lieutenant Murray, who had been killed, as well as of the men who had fallen in action the evening before.

Small parties of the enemy appeared on the ground where the late Major Harding's picquet had been situated; these were quickly dispersed and driven into the plains, and having collected seven Europeans and 28 natives who had fallen, I returned to camp without any casualty.

8. The enemy, I believe, must have suffered severely the day before, as they were seen by this column removing many of their slain, and they showed no inclination to meet the troops.

From Major *C. H. Brownlow*, Commanding Advance Picquets, Right Defence, to Lieutenant Colonel *A. Wilde*, C.B., Commanding Right Defence; dated Umbeyla Pass, 8 November 1863.

I HAVE the honour to report that, in obedience to the instructions received from you, for the protection of the working parties below this picquet, on the 6th instant, I detached one hundred men of the 20th Punjab Infantry, under Lieutenant J. Bartleman, to cover their immediate front, and posted a similar number of the 1st Punjab Infantry under Lieutenant W. Unwin on the head of the ridge beyond the one at the foot of which the fatigue party was working, with instructions to Lieutenant Unwin to send patrols down the ridge as far as he could with reference to their safety. My orders to Lieutenant Bartleman were, to keep 200 or 300 yards in front of the working parties, and to to communicate with Colonel Taylor, C.B., (who, I understood, would be with them) in case of doubt.

About 11 o'clock I perceived from my post, that Lieutenant Bartleman's party had been pushed forward to a spot low down the ridge, the top of which was in possession of Lieutenant Unwin's party. Between 1 and 2 P.M., I saw that a Company of the 71st Highland Light Infantry and one of Goorkhas had reinforced the covering party on the ridge, and learnt that the late Major Harding was in command of the whole.

I had already sent Captain Rogers with 50 men, 20th Punjab Infantry, and 50 men, 1st Punjab Infantry, by the road above my picquet and down the ridge above alluded to. These men were to relieve a similar number of their respective corps, or to remain, if necessary, as a reinforcement.

About half-past 12 in the day, hearing that Major Harding was anxious lest the enemy should get above him, and wished the party of the 1st Punjab Infantry strengthened, I sent a Company of the Guides under Lieutenant Battye to join Lieutenant Unwin; and at 2 P.M., observing the enemy moving in considerable numbers, I sent a further reinforcement to that point of two Companies of the Guides under Captain Jenkins, and 80 men of the 1st Punjab Infantry under Captain Davidson, being all the men I had at my disposal.

Your instructions for the working parties to be withdrawn, and the covering parties to retire up the hill, reached me about half-past 12 noon. I forwarded your letter at once to Major Harding, and it reached that officer while he was with the detachment of the 1st Punjab Infantry on the top of the hill, as stated by Lieutenant Unwin in his report. This must have been about one o'clock at latest.

On your arrival at the picquet I proceeded, according to your orders, with the Mountain Train Battery of Captain Hughes, and a company of the 5th Goorkhas, to assist in bringing off the covering party, with what result you are yourself aware.

I beg to enclose the reports of Captain Rogers and Lieutenants Bartleman and Unwin.

CASUALTY RETURN, Killed and Wounded, of the Eusufzye Field Force; Camp, Umbeyla Pass, 6 November 1863.

Date and occasion.	REGIMENTS.	Killed.					Wounded.					REMARKS.
		European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	
On the 6th of November, when covering a working party.	71st Highland Light Infantry –	2	–	–	–	4	–	–	–	–	4	Killed.
	1st Punjab Infantry –	–	–	–	–	2	–	–	–	–	5	Major Harding, Staff.
	5th Goorkhas –	–	–	–	–	7	1	–	–	–	7	Ensign Murray, 71st Highland Light Infantry, and Lieut. Dougal, 79th Highlanders.
	20th Punjab Infantry –	–	1	–	–	15	–	2	–	–	14	
	4th Goorkhas –	–	–	–	–	5	–	–	–	–	4	Wounded.
	Guides –	–	–	–	–	1	1	–	–	–	3	
	Staff –	1	–	–	–	–	–	–	–	–	–	Lieut. Oliphant, 5th Goorkhas.
	TOTAL – –	3	1	–	–	34	2	2	–	–	37	Lieut. Battye, Corps of Guides.

(signed) *N. Chamberlain*,
Brigadier General Commanding Eusufzye Field Force.

(signed) *T. Wright*, Major,
Assistant Adjutant General.

From Brigadier General Sir *N. Chamberlain*, K.C.B., Commanding Eusufyze Field Force, to the Adjutant General, Army Head Quarters (No. 7); dated Camp, crest of the Umbeyla Pass, 14 November 1863.

I HAVE the honour to continue my report of the proceedings of this Force from the date of my last letter (No. 6) of the 7th instant.

2. Within the last few days the enemy have received the long-expected reinforcements from Bajour. On the 11th they showed in large numbers about Umbeyla, whence considerable bodies ascended the hills in the direction of Lalloo, on our right front, and evidently with the intention of attacking the picquets on that flank of the camp. These picquets were accordingly reinforced, and their breastworks and defences strengthened. The Crag picquet in particular has been much enlarged and strengthened since the last occasion of its being attacked (30th ultimo), and has now been made capable of containing a garrison of 160 men. It has also been supported by the guns of the Peshawur Mountain Train, which have been placed in position in the main picquet. On the night of the 12th instant the Crag picquet, then under command of Major Brownlow, 20th Punjab Native Infantry, with garrison as per margin, was very hotly attacked by the enemy, who made repeated assaults upon it, all of which, however, were repelled by the steadiness of the defenders, most ably directed by Major C. H. Brownlow, whose name is already familiar to His Excellency for his admirable conduct when covering the retirement of the reconnoitring party on the 22nd ultimo, and for his gallant defence of the Eagle's Nest picquet on the 26th ultimo. The enemy, after repeatedly failing in the attempt to dislodge the picquet, withdrew towards morning, and the place of Major Brownlow and the men of the 20th Punjab Native Infantry was taken by Lieutenant Davidson and a detachment of the 1st Punjab Infantry. For further particulars of this night attack I refer His Excellency to Major Brownlow's Report, appended.

15 Marksmen Her Majesty's 101st.
30 men 14th Native Infantry.
115 men 20th Punjab Native Infantry.

3. About 10 A. M. yesterday the enemy renewed their attack upon the Crag picquet in a most determined manner, and, I regret to say, succeeded in driving out the defenders, who appear to have been seized with an unaccountable panic. Lieutenant J. P. Davidson, who commanded, behaved in a most heroic manner, and after endeavouring in every way to recall his men to a sense of their duty was killed at his post. His Excellency will, I am sure, join with me in regretting the loss of so gallant and promising an officer.

4. The loss of the Crag was for the time being, as far as practicable, met in the most resolute and praiseworthy way by Major Ross, who commanded the advanced defences; Major Keyes, commanding the 1st Punjab Infantry (who was suffering from the wound he received on the 30th ultimo), and the following officers, namely, Lieutenant Inglis, of the 14th Native Infantry, and Lieutenants Pitcher and Young, of the 1st Punjab Infantry. These officers, with as many men as they could collect, advanced to the front from the main picquet; and though not in sufficient numbers to succeed in retaking the Crag, they arrested the torrent, so to say, and by their determined bearing prevented the enemy from improving their advantage until reinforcements could be brought up from below. In this they were most materially aided by Captain Hughes, commanding the Peshawur Mountain Train, and his two subalterns, Lieutenant Conolly and Pemberton, who, by the correctness of their fire, and their readiness of resource under most trying circumstances, well sustained the honour of the Royal Artillery. For further particulars I must refer His Excellency to the annexed Reports from Major Ross and Major Keyes.

5. I was in the camp below when the Crag picquet fell into the hands of the enemy, and my attention having been accidentally drawn to the unusual dust and confusion caused by the rush of camp-followers and animals down the hill, I felt convinced that some reverse had occurred, and immediately sent forward Her Majesty's 101st Royal Bengal Fusiliers, which was fortunately under arms for another purpose. Almost immediately afterwards I received information from Lieutenant Colonel A. T. Wilde, C. B., who commands the right defences, that the picquet had been taken by the enemy, and thereupon gave orders to Lieutenant Colonel Salusbury that his regiment should push up the hill as fast as practicable, and retake it at any cost. Lieutenant Colonel Wilde had already proceeded to the spot with such reinforcements as were immediately available, and on the arrival of the 101st, promptly organised the attack.

attack. The hill was stormed by Lieutenant Colonel Salusbury and the 101st in a manner worthy of the distinguished reputation of the regiment,—the Native Regiments, which, as above mentioned, had gallantly held their ground until the arrival of the 101st, joining in and vieing with the British Regiment in driving out the enemy. For further particulars I beg to refer to Lieutenant Colonel Wilde's Report, which is annexed.

6. The temporary loss of the Crag picquet is, of course, cause of great mortification to the officers and men of the regiments concerned, and is the first success which the enemy has been able to obtain over any portion of the force. In forming his opinion upon this partial reverse, I trust the Commander in Chief will not overlook the circumstance that the same regiments which furnished the picquet when it was lost, are also those by which it was re-taken.

7. I would ask the Commander in Chief's favourable notice of the officers mentioned in paras. 2, 4, and 5 of this report,* and in particular of Major Brownlow, to whose determination and personal example I attribute the preservation of the Crag picquet throughout the night of the 12th, and of Lieutenant Pitcher, who was severely wounded, and whose behaviour is spoken of in such high terms by his Commanding Officer, Major C. P. Keyes, commanding 1st Punjab Infantry. His Excellency will remember that I have already recommended Lieutenant Pitcher for the Victoria Cross for his conduct at the Crag picquet on the 30th ultimo. I beg also to be allowed to draw the Commander in Chief's attention to Lieutenant H. R. Young's conduct on this occasion, which was also most distinguished, and deserves special remark. Lieutenant Colonel Wilde, commanding the Right Defences, is entitled to great credit for his promptness and decision when the picquet was driven in, and for the excellent and complete arrangements he made for its recapture.

8. From information since received, and from the bodies left on the ground, it has been ascertained that the enemy consisted chiefly of Bajourees and Swatees, with some of the Hindostanees.

9. Whilst the attack was going on on the right, the enemy made demonstrations both against the front and left defences of the camp; but these demand no special notice.

10. I enclose a Casualty Return.

CASUALTY RETURN, Killed and Wounded, of the Eusufzye Field Force; Camp, Umbeyla Pass, 13 November 1863.

Date and occasion.	REGIMENTS.	Killed.					Wounded.					REMARKS.
		European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	
	101st Royal Bengal Fusiliers	–	–	–	–	5	–	–	–	–	16	At the Crag Picket.
	Guide Infantry	–	–	–	–	–	–	–	–	–	2	Ditto.
	5th Punjab Native Infantry	–	–	–	–	–	–	1	–	–	1	At the Eagle's Nest Picket.
	14th Ferozepore Regiment	–	1	–	–	17	–	2	–	–	14	At the Crag Picket.
	1st Punjab Native Infantry	1	–	–	–	23	1	–	–	–	53	Ditto.
	2nd ditto ditto	–	–	–	–	2	–	–	–	–	9	Ditto.
	Peshawur Mountain Battery	–	–	–	–	2	–	–	–	–	6	Ditto.
	3rd Punjab Native Infantry	–	–	–	–	–	–	–	–	–	1	Ditto.
	5th Goorkhas	–	–	–	–	–	–	–	–	–	2	Ditto.
	TOTALS	1	1	–	–	49	1	3	–	–	104	

Lieut. Davidson, 1st. Punjab Infantry, killed. Lieut. Pitcher, 1st Punjab Infantry, wounded.

(signed) *N. Chamberlain*,
Brigadier General, Commanding Eusufzye Field Force.

(signed) *T. Wright*, Major,
Assistant Adjutant General.

* Lieut. Colonel A. T. Wilde, C.B., commanding Corps of Guides; Lieut. Colonel F. O. Salusbury, commanding 101st R. B. F.; Major C. C. G. Ross, commanding 14th Native Infantry; Major C. H. Brownlow, commanding 20th P. N. I.; Major C. P. Keyes, commanding 1st Punjab Infantry; Captain T. Huges, commanding Peshawur Mountain Train; Lieutenant A. D. C. Inglis, 14th Native Infantry; Lieutenant H. W. Pitcher, 1st Punjab Infantry; Lieutenant H. R. Young, ditto; Lieutenant E. R. Conolly, Royal Artillery; Lieutenant S. E. Pemberton, ditto.

From Lieutenant Colonel *A. Wilde*, C.B., Commanding Right Defence, to Major *T. Wright*, Assistant Adjutant General, Eusufzye Field Force (No. 5); dated Umbeyla Pass, 15 November 1863.

On the evening of the 12th instant, the enemy commenced their attack upon the picquets of the right defence, and continued them throughout the night with great spirit. The chief efforts of the enemy were directed against the Crag picquet, commanded by Major Brownlow, commanding 20th Regiment Punjab Infantry, who defended that post most successfully, inflicting much loss upon his opponents. The attack on the Crag picquet was again renewed on the morning of the 13th, Major Brownlow having been relieved by the late Lieutenant Davidson, of the 1st Punjab Infantry. By a sudden assault the enemy succeeded in dislodging this officer's party, and the loss of the post endangered the safety of the whole of the advanced picquet situated on that view. The enclosed reports, as per margin, which I have the honor to submit, describe these operations up to the time of the occupation of the Crag picquet by the enemy, which occurred about ½ past 10 o'clock A.M.

1. From Major Ross, commanding Advanced Pickets.
2. From Major Brownlow, commanding 20th Native Infantry.
3. From Major Keyes, commanding 1st Punjab Infantry.
4. From Captain Hughes, commanding M. P. Train.
5. From Lieutenant Inglis, 14th Native Infantry.
6. From Colonel Salusbury, commanding 101st Foot.

2. On the receipt of the news of this disaster, I ordered up Her Majesty's 101st Regiment to my assistance, and directed three companies of the Corps of Guides to proceed at once to the front. On leaving my camp with this reinforcement, I met the head of Her Majesty's 101st Foot ascending the hills, the Brigadier General having already directed it to proceed without delay to the advanced picquets.

3. The Crag picquet from its locality was the key to the whole position, and its loss rendered the lower picquets untenable, when the full force of the enemy's fire should be brought to bear on them. On my arrival I found that the troops were being severely pressed. Major Ross, commanding the advanced picquets, was half way up the Crag picquet hill gallantly holding the enemy in check, but unable, with the few men he had rallied round him, to advance and retake the lost picquet. Parties of the enemy were attacking the lower picquets, but were kept back by the steadiness of the fire of Captain Hughes' Mountain Train guns. The 1st Punjab Infantry, 20th Regiment Native Infantry, and two companies of the Corps of Guides, still held the breastworks; but numerically the garrison was too weak to resist the numbers of the enemy advancing to its capture.

4. I directed Lieutenant Colonel Salusbury, commanding Her Majesty's 101st Regiment, to assault the Crag picquet with his regiment, leaving one company as a support in the main position, with two companies of the Corps of Guides under Lieutenant Jenkins. The enemy were driven back in their advance on the right towards the guns, and this party then joined Colonel Salusbury in the assault on the Crag picquet with another party of the Corps of Guides and 1st Punjab Infantry. The enemy were attacked down the valley to the left. Her Majesty's 101st Foot, fatigued as they were by their rapid march to the relief of the troops in advance, never halted or broke till they had stormed the height and secured the picquet. Nothing could excel the soldier-like conduct of this regiment. They started with the determination to perform the duty, and led on by Colonel Salusbury and his officers, they soon reached Major Ross' party on the hill, and together repulsed the enemy, driving him over the hills beyond.

5. With this success on the part of our troops, all opposition ceased, and order was as quickly restored as it had been previously disturbed by the suddenness and force of the enemy's attack. As necessarily must be the case in all fighting, when the nature of the ground and the thickness of the brushwood renders it easy for the enemy to concentrate a large force upon a weak picquet, our loss was severe,—Lieutenant Davidson himself being killed; but in their retreat the enemy suffered so much that they desisted from all further attack that day along the whole line of our defences.

6. In conclusion I have to record my appreciation of the services performed on the occasion by Lieutenant Colonel Salusbury, commanding Her Majesty's 101st Regiment. Major Ross, Commandant of the 14th Native Infantry and commanding

commanding the advanced picquets, aided much to relieve the temporary loss of the picquet.

Major Brownlow, Commandant of the 20th Native Infantry, and Captain Hughes, commanding Peshawur Mountain Train, displayed throughout the attacks of the enemy great firmness and presence of mind. Lieutenant F. Jenkins, commanding a wing of the Corps of Guides, led his men up the Crag Hill, and drove the enemy back from the right of the position with great gallantry.

From Major *C. G. Ross*, 14th Ferozepore Regiment, Commanding Advanced Picquets, to Lieut. Colonel *A. Wilde*, C.B., Commanding Right Defence, Field Force; dated 14 November 1863.

I BEG to report the occurrences and engagements at the advanced picquets under my command on the 12th and 13th November 1863.

During the day time on the 12th, large bodies of the enemy took position on the hill above the Crag picquet, which I therefore strongly reinforced and made over to Major Brownlow, 20th Regiment Native Infantry.

Captain Hughes, Royal Artillery, commanding Peshawur Mountain Train, also under my order, put two of his four guns into position on the left of my camp, to get under fire the left shoulder of the hill on which is the Crag picquet, as well as the front of the centre picquet below.

I annex a report from each of these officers.

During the night of the 12th from 10 P. M. until 4 A. M. of the 13th, the enemy made incessant attacks and charges on the Crag picquet, which were steadily beaten off by Major Brownlow and the fire of the Mountain Train. At 7 A. M., 13th November, the enemy threatened in force the centre and lower picquets, and I proceeded to those posts.

No serious attack, however, taking place, I returned to camp, and on reaching the lower part, found that the Crag picquet had been suddenly carried by the enemy, who were pouring a heavy fire into the Camp, which was in great confusion. Collecting as many men of the 14th Native Infantry as I could, (the head-quarters' body of the corps were at the centre picquet below,) and of the other Regiments, we passed to the front of camp, where I was joined by Lieutenants Inglis, 14th Native Infantry, and Young, 1st Punjab Infantry, who assisted me in endeavouring to get sufficient men together to recarry the Crag picquet itself. This we could not do owing to the confusion, but with some men of those two Regiments and of the Guides, we reached the steep rocks of the picquet itself, where, within a few paces, we kept up as heavy a fire as we could on the top of the rocks, until the arrival of Her Majesty's 101st Fusiliers, with whom we retook the Crag picquet.

Finding Colonel Salusbury, of Her Majesty's 101st, there, I made over the command to him.

It is my duty to mention the following officers, and to request you to bring them to the Brigadier General's notice:—

1. Major Brownlow, 20th Punjab Native Infantry, for his gallant defence of the Crag picquet during the entire night of the 12th November.

2. Captain Hughes, Peshawur Mountain Train, whose guns made the duties of the infantry comparatively easy, and helped considerably in checking the enemy.

3. Major Keyes, who, suffering and disabled by his wound, commanded his regiment and breastwork throughout, and stopped the advance of the enemy after the Crag picquet had been carried by them.

4—5. Lieutenants Inglis and Young, the former 14th Regiment Native Infantry, the latter 1st Punjab Infantry, for cool and gallant conduct and discharge of their duty at a time of much confusion.

6. Subadar Major Secunder Khan, 14th (Ferozepore) Regiment Native Infantry.

7. Sepoy Gundah Sing, 5th Company 1st Regiment Punjab Infantry.

8. Sepoy Jowahir Sing, 1st Company 14th (Ferozepore) Regiment.

9. Sepoy Unnoop Sing, 3rd Company 14th (Ferozepore) Regiment.

10. Sepoy Sher Sing, 5th Company 14th (Ferozepore) Regiment.

I forward from Major Keyes, 1st Punjab Infantry, a report of a gallant charge on the advancing

advancing enemy made by Lieutenant Pitcher, of that corps, but which did not come under my personal observation.

Also with regard to the loss of the Crag picquet itself, a report from the senior surviving officer, (Captain Davidson, 1st Punjab Infantry, who commanded at the time, having relieved Major Brownlow, was killed at his post,) Lieutenant A. D. C. Inglis, 14th Regiment Native Infantry.

I believe the picquet was surprised, and would beg the consideration of the Brigadier General to the heavy loss sustained by the men composing it.

P. S.—I have omitted, among the names of the men whom it is my wish to recommend to the notice of the Brigadier General, that of—

Nihal Sing, Sepoy Cook No. 3 Company, 14th Regiment Native Infantry, who, on my calling the men to the front on the high picquet being taken by the enemy, seized the belt and musket of a wounded man, and was most forward in the advance.

(signed) *C. G. Ross*, Major,
Commanding 14th Regiment N. I.

From Major *C. H. Brownlow*, Commanding 20th Punjab Native Infantry, to Lieutenant Colonel *A. Wilde*, C.B., Commanding Right Defence; dated 14 November 1863.

I HAVE the honour to report as follows on the defence of the Crag picquet during the night of the 12th instant.

2. On my assuming command of the post at 4 P. M., the garrison consisted as under:—

15 marksmen 101st Royal Bengal Fusiliers, under the direction of Lieutenant Fosbery, Musketry Instructor.
115, 20th Punjab Infantry.
30, 14th Ferozepore Regiment.

3. The enemy occupied a level ridge about 250 yards to our front, his position extending more than half a mile in a direction facing our own. Between us lay a smooth hollow intersected by a ravine. The ground on our right and rear was precipitous, and almost unassailable in any force. The left face of the post was its weak point, rock and trees affording shelter to an attacking party till within a few yards of it.

4. Anticipating an attack, I had urged Lieutenant Bartleman, 20th Punjab Native Infantry, who commanded the picquet during the day, to use his utmost exertions to improve the position as much as he could, by heightening the breastwork, constructing an abattis, &c., a duty which he performed admirably.

5. Before dark I had every man in his place for the night, with strict orders as to the nature of his duties, and the direction of his fire in case of attack.

6. About 10 P. M. their watchfire showed us that the enemy were in movement, and descending in great numbers to the hollow in our front, which in half an hour was full of them. Their suppressed voices soon broke into yells of defiance, and they advanced in masses to our attack, their numbers being, so far as I could judge from sight and sound, at least 2,000. I allowed them to approach within 100 yards of us, and then opened a rapid and well-sustained file fire from our front face, which, I believe, did great execution, and soon silenced their shouts and drove them under cover, some to the broken and wooded ground to our left, and the rest into the ravine below us.

7. In half an hour they rallied, and assembling in almost increased numbers, rushed to the attack, this time assaulting on our front as well as on the left. They were received with the greatest steadiness, and again recoiled before our fire. These attacks continued till 4 A. M., each becoming weaker than the last, and many of them being mere feints to enable them to carry off their dead and wounded.

8. During the night I received very valuable assistance from Captain Hughes' Mountain Battery. From his position, about 250 yards below and in the right rear of the Crag, he made most successful practice, being guided as to direction and range by voice from our post. Before the attack commenced, he pitched two shells into the watchfire of the enemy, which must have done considerable damage.

9. The post was at one time in great danger of being forced at its left front angle, which from its position was badly protected by our fire. The enemy clambered, and assailing its occupants with stones from our breastwork, stunned and drove them back at this critical moment. The gallantry of the undermentioned men saved the post; answering my call when others wavered, they followed me into the corner, and hurling stones on the enemy

enemy who was close under our wall and sheltered from musketry, drove him back and rebuilt the parapet, holding the point for the rest of the night:—

Havildar Allun Khan, 20th Punjab Native Infantry.		
Naick Chutter Sing	„	„
Sepoy Goolbadeen	„	„
Sepoy Mahomed Khan	„	„
Sepoy Alla Meer	„	„

10. I beg to append a return of casualties, which, I am glad to add, were not very serious, as, owing to the darkness of the night, the enemy did not fire much or effectively.

11. In the morning, not more than eight or ten of the enemy were in sight, and my men having been 48 hours on picquet, during which time they had worked all day and watched all night, were completely worn out; their muskets also were so foul that they could scarcely load. I therefore applied to Major Ross, commanding the advanced picquet for a relief, and at 8 A. M. made over command of the post to the late Captain J. P. Davidson, who came with a detachment of the 1st Punjab Infantry.

(signed) *C. H. Brownlow*, Major
Commanding 20th Punjab N. I.

From Major *C. P. Keyes*, Commanding 1st Punjab Infantry, to Lieutenant Colonel *A. Wilde*, C. B., Commanding Right Defence; dated Camp, Umbeyla Pass, 16 November 1863.

I HAVE the honour to report that, on the morning of the 13th November, I was on the standard hill of "Keyes' right picquet" with Lieutenant Conolly, of the Peshawur Mountain Train, who was preparing a platform for his guns on the side of the hill for the protection of "Keyes' centre" and "Cliff" picquets. Constant firing was heard at the "Crag" picquet, but it did not attract any particular notice, as heavy firing had been kept up there all night, and was continued at intervals after the relief of the picquet. While at the platform I received a note from the late Captain Davidson, who was commanding the picquet, to say that he had only 90 men with him, which he did not consider sufficient. I immediately sent him up a reinforcement of 30 rifles under a native officer, all that could be spared, as a serious attack was expected on the "Centre" and "Cliff" picquets.

2. Shortly after this reinforcement reached the "Crag" picquet, I observed, as I was descending the standard hill, the men of the "Crag" picquet rushing down in confusion. I did not see the commencement of the retreat, as the position was not visible from the platform where I was at the time. I immediately proceeded to the breastwork across the road by which the main post is approached from the "Crag;" here I rallied all the men that I could together, and kept up a heavy fire, which was taken up by Captain Hughes' guns; this checked the advance of the enemy; but, as many wounded and others from the "Crag" rushed past the breastwork and could not be stopped, a panic was communicated to our camp-followers, who took to flight and increased the confusion. These men retreating had a visible effect upon all, and I felt the necessity of an advance to reassure those that were wavering, and to further check the enemy until reinforcement should arrive. I therefore directed a few men to remain in the breastwork, and ordered the rest to "charge;" Lieutenants Pitcher and Young, of the 1st Punjab Infantry, headed this charge. A small detachment of the Guides that were in charge of the rear defence of our post was brought up by Lieutenant Forlong, of that corps, and gallantly proceeded to support Lieutenant Pitcher; they were too weak, however, to regain the "Crag," which, with the greatest coolness and daring, they attempted to assault, but they had to fall back on the rocks. I got together a few more men whom I sent up to support them.

3. Major Ross, commanding the post, arrived at this time from the lower picquet. I considered my presence at the breastwork absolutely necessary to keep the men together; the duty therefore of leading the first charge devolved upon Lieutenant Pitcher, and I beg to bring to the special notice of the Brigadier General Commanding the admirable manner in which he performed this important duty; he was by many yards the foremost of his party, and the gallant bearing of this excellent young officer was the admiration of all spectators. It is impossible to say too much or to over-rate his services on this occasion. Lieutenant Pitcher was severely wounded, and was obliged to be carried back. I beg also to bring to the special notice of the Brigadier General Commanding the gallant conduct of Lieutenant Young; this officer ably assisted Lieutenant Pitcher throughout, and made himself most conspicuous for his coolness and gallantry, which was witnessed by all below, and elicited the special notice of Major Ross, commanding.

4. The following men also distinguished themselves:—

Sepoy Syud Khan - - - - - - -	No. 4 Company.
Sepoy Gunda Sing - - - - - - -	No. 5 „
Sepoy Shurruff Khan - - - - - - -	No. 8 „
Sepoy Zurreef - - - - - - - -	No. 1 „
Sepoy Futteh - - - - - - - -	No. 1 „

A casualty return and returns of arms and accoutrements lost on this occasion is herewith enclosed.

From Brigadier General Sir *N. Chamberlain*, K. C. B., Commanding Eusufzye Field Force, to the Adjutant General, Army Head Quarters (No. 8); dated Camp, Heights above the Umbeyla Pass, 21 November 1863.

In continuation of my former reports, I have the honour to report, for the information of his Excellency the Commander in Chief, that at daylight on the morning of the 18th instant the whole of our picquets on the Gurroo Mountain under Lieutenant Colonel Vaughan's command, consisting of the Huzara Mountain Train and 3d, 5th and 6th Punjab Infantry, were withdrawn, and the entire camp and troops transferred to the heights on the south of the Pass, which position alone the force has since occupied.

2. In anticipation of this change of position, the Commissariat stores, reserve ammunition, &c., &c., had been gradually removed, on previous days, to the eastern ridge. The guns of Captain Griffin's Battery were removed from the advanced breast work of camp late on the evening of the 17th, and placed in the new position, so as to cover the withdrawal of the pickets from the Gurroo. They were replaced temporarily by two guns of the Huzara Mountain Train from the Gurroo. Every precaution was at the same time taken to prevent the enemy from suspecting the intended movement, and the troops, both on the Gurroo and in the front line of defence, continued, up to the last moment, to strengthen their breastworks and defences. These precautions were successful; and, though the enemy's picquets on the Gurroo were not 400 yards above our own, the withdrawal was effected without their knowledge and in the most perfect order.

3. The concentration of the whole of the troops on the eastern heights made it necessary to extend the position, and particularly to secure the full command of the water on which the whole force was now dependent. With this view the troops, as per margin, moved out under my personal command as soon as the change of position was completed, to drive the enemy from what has since been known as the "Water Ridge." This was very quickly effected by an advance and charge of the 1st and 6th Punjab Infantry, with the loss on our side of three men wounded, and some of the enemy killed. The troops were then placed in position to protect the 5th Punjab Infantry and 32d Pioneer Regiment, which were employed as a working party under the direction of Lieutenant Colonel Taylor, C. B., Chief Engineer, in stockading a picquet to command the water. The troops were withdrawn to camp in the evening under the direction of Lieutenant Colonel Vaughan, 5th Punjab Infantry, the new work having been completed and occupied. I may here mention by anticipation that the position of the picquet having been found to be more advanced than was necessary, it was abandoned on the following day, the 19th, and a new position chosen and stockaded about 300 yards to the rear.

Peshawur Mountain Train.
Wing 101st Regiment.
1st and 6th Punjab Infantry.

4. On discovering the camp and picquets on the Gurroo to have been vacated by the troops, the enemy seem to have supposed that the force was in retreat, and with this idea came into the gorge in great numbers, both from Umbeyla and from the Gurroo, and thence, about 11 A.M., commenced an attack upon what had now become the left front of our position. Our defences at the point principally attacked consisted of some small breastworks, thrown up on the side of the hill to cover the picquets connecting what have been called in my previous reports the "Advanced Right Picquets," with the camp in the gorge below. It was not my intention to hold these breastworks permanently after the camp had been removed from the gorge; but it was necessary to hold them during the day of the 18th to prevent the enemy from pressing upon the camp and firing into it before the troops were thoroughly established on their new position. These breastworks were held, on the morning of the 18th, by 130 men of the 14th Native Infantry, who, being greatly outnumbered by the enemy, were in the first instance compelled to give way, but, being reinforced by the troops, as per margin, re-took the post and drove back the enemy. The enemy, however, having gained a large accession of numbers, re-attacked the picquets, when it became necessary for the two lowest down on the hill to fall back on the third, which was nearer the camp breastworks.

Two Companies 71st Highland Light Infantry, under Major Parker.
One Company 101st Royal Bengal Fusiliers, under Lieutenant Chapman.
One Company 5th Punjab Infantry, under Lieutenant Fox.
Three Companies 5th Goorkha Regiment, under Captain Close.

works. I regret to say that our loss on this occasion was very considerable, including the following officers:—

Captain C. F. Smith, of the 71st Highland Light Infantry, an officer of long and good service; Lieutenant H. H. Chapman, Adjutant of the 101st Regiment, who had been sent by his commanding officer to convey an order, and who, feeling that his own wound was mortal, begged of his men to leave him and to assist Captain Smith to the rear instead. His regiment has lost in Lieutenant Chapman an admirable adjutant, and the service a most promising officer; Lieutenant T. S. G. Jones, of the 79th Highlanders, who, on officers being called for the force, had joined the 71st Highland Light Infantry as a volunteer; and Lieutenant W. F. Mosley, of the 14th Native Infantry, who was shot when the lower picquets were forced to retire. The conduct of Major C. C. G. Ross, commandant of the 14th Native Infantry, on this occasion merited my approval, and I again beg to recommend him to his Excellency's notice, having already done so for his conduct at the Crag picquet on the 13th instant.

5. I may here mention, by anticipation, that the bodies of those killed on this occasion and which could not be brought in at the time, were recovered, on the morning of the 21st, instant, by a force employed for that purpose under the direction of Lieutenant Colonel Vaughan, of the 5th Punjab Infantry, when 12 of the enemy were killed.

6. The picquet upon which the lower picquets had retired was withdrawn after dark on the 18th, agreeably to my previous intention. On its withdrawal the enemy pressed on and some few of them endeavoured to annoy the camp until at a late hour of the night, but without making any serious attack.

7. Throughout the 19th the enemy kept up a fire upon the Crag and Water picquets. I regret to say that Captain R. B. Aldridge, 71st Highland Light Infantry, was killed at the latter, and Ensign C. M. Stockley, 101st Regiment, severely wounded at the former picquet.

8. About nine A. M. on the 20th the enemy began to collect in great numbers near the Crag and Water picquets, the Crag being, as before, the point principally threatened. They were, however, checked in some degree by the fire of the Peshawur Mountain Train Guns; Captain Hughes, from previous experience and his acquaintance with the ground, knowing exactly on what points to bring his fire with most effect, even though the enemy were not visible from the Battery. The Crag and Water picquets also mutually supported one another by their cross fire at 450 yards. The detachment by which each of these posts was held is shown in the margin.

Crag Picquet.
100 of the 101st Regiment.
100 of the 20th Punjab Native Infantry.

Water Picquet.
100 of the 71st Highland Light Infantry.
100 of the 3d Punjab Infantry.

9. Up to a late period of the afternoon the enemy had made no impression upon the Crag picquet, though numerous standards had been gradually advanced under cover to within a few yards of the breast-work, but about 3 P. M. the unaccountable conduct of a portion of the garrison gave the enemy possession of the post. This was not, however, accomplished without affording the officers and men who held the lower portion of the picquet the opportunity of distinguishing themselves by the resolute way in which they endeavoured to hold their portion of the post under very discouraging circumstances, and who only abandoned it when it was no longer tenable. These officers were Major H. G. Delafosse, of the 101st Regiment, who commanded the picquet; Captain R. G. Rogers, of the 20th Punjab Native Infantry; Ensign A. R. Sanderson, and Staff Assistant Surgeon W. Pile, both of the 101st Regiment. The two last officers were, I regret to say, killed at the breast-work whilst endeavouring to rally their men. The above officers were well supported by some of No. 5 Company of the 101st Regiment, and by some of the 20th Native Infantry.

10. On the fall of the Crag picquet coming to my notice, I immediately ordered the 71st Highland Light Infantry and the 5th Goorkha Regiment to be got under arms and proceed to the upper Camp; and at the same time directed Captain Griffin's half Battery, and the two 24-pounder howitzers of No. 3 Punjab Light Field Battery under Captain T. H. Salt, to open fire upon the Crag, which they did in so efficient a manner as (joined to the fire of Captain Hughes' Mountain Train Guns) effectually prevented the enemy from attempting to occupy it in anything like large numbers. On the 71st and Goorkha Regiments reaching the upper defences, I ordered Colonel Hope, C. B., commanding the former Regiment, to storm the Crag in front, and Lieutenant-Colonel Vaughan, with the 5th Goorkha Regiment and 5th Punjab Infantry, to go round the hill, so as to take the lower portion of it in flank. The 71st discharged their duty in the most steady and soldier-like manner, led by Colonel Hope with a coolness which elicited the respect of all who witnessed it. The Crag was re-occupied, fortunately without much loss to ourselves, Lieutenant S. Beckett, of the 5th Punjab Infantry, being one of the first to reach the summit, and Colonel Hope then pushed forward in pursuit of the enemy, having been joined by Lieutenant-Colonel Vaughan's Column, and drove them for some distance over the heights in the direction of Lalloo. After continuing the pursuit as far as seemed

prudent, Colonel Hope led the troops back towards the Crag, and, I much regret to say, was severelywounded whilst superintending the re-occupation of the picquet, which, at his special request, was garrisoned for the night by 200 men of his own regiment.

11. I considered it my duty to accompany the storming column, and whilst ascending the hill was wounded in the arm. Lieutenant Anderson, Adjutant of the 3rd Punjab Cavalry, my orderly officer, was also wounded.

12. I must not omit to mention with highest commendation the excellent service rendered by the Artillery, both previous to and during the assault of the Crag; and I beg to bring the names of the officers commanding Batteries* to the favourable notice of His Excellency the Commander-in-Chief. Captain Hughes' guns were served under a heavy fire, and their position, namely, on the upper defences immediately adjoining the Crag, made their assistance most valuable at a very critical moment.

13. I beg to enclose casualty returns of the 18th, 19th, and 20th instants.

CASUALTY RETURN, Killed and Wounded, of the Eusufzye Field Force.—Camp, Umbeyla Pass, 18 November 1863.

Date and Occasion.	REGIMENTS.	Killed.					Wounded.					Horses.		Mules.		REMARKS.
		European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	Killed.	Wounded.	Killed.	Wounded.	
Attack on Keye's Lower Picket under Maj Ross, Commanding, 18 November 1863.	Peshawur Mountain Battery	–	–	–	–	–	–	–	–	–	–	–	–	–	1	
	71st Highland Light Infantry	2	–	–	–	3	–	–	1	–	4	–	–	–	–	KILLED.
	101st Royal Bengal Fusiliers	1	–	–	–	2	–	–	–	–	3	–	–	–	–	Captain Smith, 71st Highl Light Infantry.
	Guide Infantry - - -	–	–	–	–	–	–	–	1	–	–	–	–	–	–	Lieutenant Jones, 79th Hi landers.
	1st Punjab Native Infantry	–	–	–	–	–	–	–	–	–	4	–	–	–	–	Lieut. and Adjutant Chapm 101st Royal Bengal Fusili
	5th ditto - -	1	–	–	–	–	–	–	–	–	1	–	–	–	–	Lieutenant Mosley, 14th Fe zepore Regiment.
	20th ditto - -	–	–	–	–	–	–	–	–	–	1	–	–	–	–	WOUNDED.
	14th ditto - -	1	–	7	–	18	1	–	3	–	46	–	–	–	–	Lieutenant Inglis, 14th Fe zepore Regiment.
	5th Goorkhas - - -	–	–	–	–	9	–	–	–	–	8	–	–	–	–	
	6th Punjab Native Infantry	–	–	–	–	–	–	–	–	–	2	–	–	–	–	
	TOTAL - - -	4	–	7	–	33	1	–	5	–	69	–	–	–	1	

(signed) *N. Chamberlain*,
Brigadier General Commanding Eusufzye Field Force.

T. Wright, Major,
Assiitant Adjutant General.

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* Captain Griffin, commanding C. Battery, 19th Brigade; Captain T. H. Salt, commanding No. 3 Punjab Light Field Battery; Captain T. Hughes, commanding Peshawur Mountain Train.

CASUALTY RETURN, Killed and Wounded, of the Eusufzye Field Force.—Camp, Umbeyla Pass, 19 November 1863.

Date and Occasion.	REGIMENTS.	Killed.					Wounded.					REMARKS.
		European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	
On Picquet Duty, 19 November 1863.	71st Highland Light Infantry	1	–	–	–	1	–	–	–	–	–	
	101st Royal Bengal Fusiliers	–	–	–	–	–	1	–	–	–	1	KILLED. Captain Aldridge, 71st H i Light Infantry.
	14th Ferozepore Regiment.	–	–	–	–	–	–	–	–	–	1	WOUNDED. Ensign Stockley, 101st Royal Bengal Fusiliers.
	20th Punjab Infantry.	–	–	–	–	–	–	–	–	–	1	
	3d „ „	–	–	–	–	–	–	–	–	–	1	
	Peshawur Battery	–	–	–	–	–	–	–	–	–	1	
	TOTAL	1	–	–	–	1	1	–	–	–	5	

(signed) *N. Chamberlain*, Brigadier General.
Commanding Eusufzye Field Force.

T. Wright, Major,
Assistant Adjutant General.

CASUALTY RETURN, Killed and Wounded, of the Eusufzye Field Force.—Camp, Umbeyla Pass, 20 November 1863.

Date and Occasion.	REGIMENTS.	Killed.					Wounded.					Horses.		Mules.		REMARKS.
		European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	European Officers.	Native Officers.	Sergeants, Duffadars, Havildars.	Buglers, Trumpeters, Pipers.	Rank and File.	Killed.	Wounded.	Killed.	Wounded.	
Evacuation of the Crag Picquet and Re-capture from the Enemy, 20 November 1863.	Peshawur Mountain Battery	–	–	–	–	1	–	–	1	–	1	–	–	–	2	KILLED. Ensign Sanderson, 101st Regiment. Assistant Surgeon Pile, ditto.
	71st Highland Light Infantry	–	–	–	–	7	1	–	1	–	24	–	–	–	–	WOUNDED. Brigadier General Sir N. Chamberlain, K.C.B. Colonel Hope, C. B., 71st H. Light Infantry. Lieutenant Colonel Vaughan, 5th P. I., slightly. Major Campbell, 5th Goorkhas. Lieutenant Anderson, 3d Punjab Cavalry.
	101st Royal Bengal Fusiliers	2	–	–	–	11	–	–	–	–	24	–	–	–	–	
	1st Punjab Native Infantry	–	–	1	–	–	–	–	–	–	1	–	–	–	–	
	3d ditto	–	–	–	–	–	–	–	–	–	3	–	–	–	–	
	5th ditto	–	–	–	–	–	1	1	1	–	4	–	–	–	–	
	20th ditto	–	–	1	–	2	–	–	1	1	30	–	–	–	–	
	5th Goorkhas	–	–	–	–	2	1	–	1	–	9	–	–	–	–	
	6th Punjab Native Infantry	–	–	–	–	–	–	–	–	–	2	–	–	–	–	
	General Staff	–	–	–	–	–	2	–	–	–	–	–	–	–	–	
	TOTAL	2	–	2	–	23	5	1	5	1	98	–	–	–	2	

(signed) *N. Chamberlain*, Brigadier General,
Commanding Eusufzye Field Force.

G. Allgood, Quarter Master General,
for *T. Wright*, Major,
Assistant Adjutant General.

From Brigadier General Sir *N. Chamberlain*, K.C.B., Commanding Eusufzye Field Force, to the Adjutant General, Head Quarters, Camp Nowshera.—(No. 9, dated Camp, Heights above the Umbeyla Pass, 25 November 1863.)

My wound has proved more serious than I expected; and it is with the greatest regret that I have to request that his Excellency the Commander in Chief will be pleased, at the earliest practicable date, to relieve me of my command, the duties of which will, I feel sure, be efficiently discharged by Lieutenant Colonel A. T. Wilde, C.B., the next senior officer, until the arrival of my successor.

2. My connection with the force being thus about to terminate, it is my duty to bring to the notice of the Commander in Chief the excellent conduct of the troops, both British and Native, since they have been in the field. The nature of the service has made the duty unusually heavy, and the troops have been under arms and on duty almost day and night. On no occasion, however, has there been the smallest murmur on this account, and every duty has been performed with the most cheerful alacrity.

3. His Excellency will, I feel sure, consider it most satisfactory that, though the ranks of the Native regiments contain members of almost every tribe on the frontier, including those which are fighting against us, there have been no desertions and no backwardness, in any instance, to engage the enemy.

4. The services of every regiment with the force have, in one or other of my reports, been brought to the notice of the Commander in Chief, with the exception of the 32d Punjab Native Infantry (Pioneers) under Major Morgan, and the 4th and 5th Companies of the Sappers and Miners under Lieutenant Tucker. The nature of the service has made it indispensable to employ the 32d altogether on the defences and lines of communication, and I take this opportunity of saying that its services, and those of the Sapper Companies, have been of the greatest value to the force. With regard to the 32d, such was the paucity of men that, even when they had laboured during the day at the breast-works and roads, it was impossible to avoid putting a portion of them on duty at night for the defence of the camp. The discipline of the regiment and their conduct reflects great credit on Major Morgan and his officers. I believe, too, that the services of the Guide Infantry have been less prominently alluded to in my later reports than they deserve. This has arisen from the regiment having been chiefly employed in detachments to reinforce and support the troops in front. I therefore wish here to notice the excellent service rendered by two companies of the regiment under Captain Jenkins, second in command, on the 6th instant, when in support of the covering party under the late Major Harding, on which occasion Lieutenant Battye, doing-duty officer, was wounded; and of three companies under Captain Jenkins, which acted in concert with the 101st Royal Bengal Fusiliers in the recovery of the Crag picquet on the 13th instant.

5. I may also mention here that, although there was no scope for the employment of the few cavalry (11th Bengal Cavalry and Guide Cavalry) retained in camp as such, yet they always took dismounted duty, and were most useful in aiding in the night defence of the camp.

6. I would next wish to bring to his Excellency's notice the very meritorious conduct of the whole of the officers of the force, from whom I have at all times received the most cordial support, and whose services I would beg to be allowed thus publicly to acknowledge. The officers whom I would particularly beg to notice are as follows:—

Colonel Hope, C.B., commanding 71st Highland Light Infantry, who had command of the front defences from the time of the arrival of the force in the Umbeyla Pass until the time of its changing position to the eastern heights, and whose distinguished conduct at the retaking of the Crag picquet was particularly noticed in my Report No. 8.

Lieutenant Colonel A. T. Wilde, C.B., commandant of the Guide Corps, who commanded the right defences to my entire satisfaction, and who, although the position his regiment occupied in the camp did not give him the opportunity of gaining distinction in actual conflict with the enemy, has rendered me the most constant and valuable aid, and I would particularly allude to the excellent arrangements

ments he made for the re-capture of the Crag picquet when it was taken by the enemy on the 13th November, as noticed in my Report No. 7.

Lieutenant Colonel J. L. Vaughan, commandant 5th Punjab Infantry, who commanded the left defences from the time of the arrival of the force in the Umbeyla Pass to its changing its position to the right heights with my confidence and approval. His conduct on the occasion of the attack by the enemy on the "Eagle's Nest" and picquets on the Gurroo Mountain was most favourably reported upon in my Report No. 4. After the change of position, he commanded the upper camp, and his services were again mentioned in my Report No. 8. He has at all times rendered me the most cordial assistance and support. I consider him a most intelligent officer.

Lieutenant Colonel A. Taylor, C.B., Royal Engineers, chief engineer with the force, who has afforded me throughout the most hearty co-operation, and whose services have been of great assistance to the force. With Lieutenant Colonel Taylor's name I would wish to connect those of his subalterns, Lieutenants H. F. Blair, J. Browne, and T. T. Carter, all of the Royal Engineers, who, whether when engaged with the enemy or when employed in their more regular duties, have well upheld the reputation of their corps. Lieutenant Carter joined the force to carry out the objects of the Trigonometrical Survey, and volunteered his services under Lieutenant Colonel Taylor.

Captain J. S. Tulloh, Royal Artillery, senior artillery officer with the force, who most cheerfully overcame all difficulties, and in whose opinion, in all matters connected with his arm of his service, I had perfect confidence. With Captain Tulloh's name I would wish to connect those of Captain F. C. Griffin and Captain T. H. Salt, commanding half batteries of field artillery, whose services were recorded in my Reports Nos. 5 and 8, and of Captain F. R. DeBude and Captain T. Hughes, commanding the mountain batteries. In Captains DeBude and Hughes the service has two officers most admirably fitted for the command of mountain batteries, and who by their zeal have, I believe, brought this arm of the service to as great a degree of efficiency as the ordnance at present in use will admit of. Captain DeBude's services have been recorded in my Report No. 4, and Captain Hughes' in my Reports Nos. 3, 7, and 8.

Lieutenant Colonel Salusbury, commanding 101st Royal Bengal Fusiliers, whom I have found most zealous in the discharge of every duty, and whose distinguished conduct in the re-taking of the Crag picquet on the 13th November was specially alluded to in my Report No. 7.

Major Ross, commanding 14th Native Infantry, whom I consider an officer of most soldierly determination, and whose excellent conduct on the 13th and 18th November has been specially noticed in my Reports Nos. 7 and 8.

Major C. H. Brownlow, commandant 20th Punjab Native Infantry, who particularly distinguished himself when covering the retreat of the reconnoitering party, 22d October; when commanding the "Eagles' Nest" picquet, 26th October; and when commanding the Crag picquet on the night of the 12th November, as related in my Reports Nos. 2, 4, and 7. In addition to any other mark of approval his Excellency may consider this officer to deserve, I would most strongly recommend him as having well earned the distinction of the Victoria Cross by his personal gallantry on each occasion of his being engaged.

Major C. P. Keyes, commandant 1st Punjab Infantry, whose distinguished conduct on every occasion of his being engaged has been specially brought to notice in my various Reports Nos, 1, 3, 5, and 7, and whose claim to the Victoria Cross for his services on the 30th October I submitted for his Excellency's consideration in my Report No. 5. His services have been of the utmost value to the force.

Captain W. D. Hoste, commandant 6th Punjab Infantry. I beg to thank this officer for his cheerful and soldierly bearing, and for his marked gallantry at the head of his regiment on the 26th October, as related in my Report No. 4.

Surgeon Simpson, 71st Highland Light Infantry, senior medical officer with the British portion of the force, on whom it devolved to make all arrangements for the sick and wounded of the British troops, which duty he performed to my entire satisfaction.

Surgeon H. B. Buckle, of the 1st Punjab Infantry, senior medical officer with the native portion of the force, who superintended all arrangements for the numerous native sick and wounded in the most zealous and efficient manner, which I particularly wish to bring to the notice of the Commander in Chief.

Captain T. H. Jenkins, in charge of the Commissariat Department of the force, to whom the force is highly indebted for his untiring exertions to keep it supplied. I can accord him no greater praise than to place upon record that the force was throughout as well supplied as if it had been in cantonments. I beg to bring his services especially to the notice of the Commander in Chief.

7. Although Lieutenant Colonel Probyn, who commanded the small party of cavalry in camp, was only afforded the opportunity of conducting the reconnoitring party in the Chumla Valley on 22 October, and of charging the enemy who endeavoured to cut off his return to camp, still I feel that I should not be just were I to omit to bring to notice his extreme desire to have his men employed on every duty where it was possible to employ dismounted cavalry, and the cheerful manner in which he made his own services available on every possible occasion.

8. In giving prominence to the names of the above officers, I beg to express my hope that the services of officers whose names have been brought to notice in my previous Reports, but who are not mentioned in the above list, will also obtain the favourable consideration of his Excellency the Commander in Chief; and I would also beg to acknowledge the services of my staff, namely, Lieutenant Colonel Allgood, Assistant Quarter Master General, who discharged his duties to my satisfaction, and afforded me every assistance; Major Wright, Assistant Adjutant General; and Lieutenant F. N. Mackenzie (staff officer, Punjab Irregular Force), Lieutenant W. C. Anderson, and Lieutenant H. S. Jarrett, who acted as my orderly officers, and gave me perfect satisfaction.

9. I annex to this report a nominal roll of three privates* of the 71st Highland Light Infantry, and of one serjeant, one lance corporal, and four privates† of the 101st Royal Bengal Fusiliers, who are recommended by the officers commanding those regiments for their distinguished gallantry. If the acts of gallantry for which they are recommended are not deemed by the Commander in Chief of a nature to give all of them a claim to the Victoria Cross, I trust his Excellency will be able to find some other means of rewarding them. Authority has already been given me to admit to the Order of Merit those Native officers and soldiers who have distinguished themselves, and it will be acted upon without delay.

10. In conclusion, I beg to acknowledge the hearty co-operation I have received throughout from Colonel Reynell Taylor, C.B., who has been up to within the last few days, chief civil and political officer in camp. Colonel Taylor used every possible endeavour to procure information of the movements and proceedings of the enemy; and when the situation of affairs afforded little scope for political negotiations, both he and his assistant, Captain A. A. Munro, Deputy Commissioner of Peshawur, resumed their position as military officers, and accompanied the troops when engaged with the enemy.

11. To make my Reports complete, I enclose a general Casualty Return, showing all the casualties in the force up to date.

ROLL of Men of Her Majesty's 101st Regiment recommended for distinguished gallantry in the field.

These men‡ (marksmen) behaved with remarkable coolness and courage in the "Eagle's Nest" Picquet on the 26th October 1863, under command of Captain Butler, V.C., when the picquet was desperately assaulted by an immense number of the enemy. Major Brownlow, who commanded the post, has reported them for their coolness and gallantry on the occasion, and this report was duly forwarded through Brigadier Wilde, C.B. I now attach a letter which was addressed for my information by Captain Butler on the 3d December.

This

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* *71st Highland Light Infantry.*—Private William Clapperton, Private George Stewart, Private William Malcolm.

† *101st Royal Bengal Fusiliers.*—Serjeant Jeremiah Brosnan, Lance Corporal G. Simister, Private Francis Barber, Private Daniel Lane, Private Francis Elliott, Private Charles Fitz-Patrick.

‡ No. 6, Serjeant Jeremiah Brosnan; No. 984, Lance Corporal George Simister; No. 26, Private Francis Barber.

This soldier* behaved with extreme gallantry and coolness when the 101st Regiment assaulted and retook the "Crag picquet" on the 13th November 1863, and was one of the leading men at the top of the hill with me; three of the other leading men were shot as they entered the breastwork. I personally witnessed this soldier's gallantry and good example.

* 650. Private Daniel Lane.

These two soldiers† behaved with great coolness and gallantry at the Crag picquet on the 20th November 1863, when the picquet was assaulted and taken by the enemy. Major Delafosse, who commanded the picquets, reports highly on their conduct; his letter is attached. A report was previously forwarded through Brigadier Wilde, C.B.

† No. 347. Private Francis Elliot. No. 379. Private harles Fitz-patrick.

(signed) *F. O. Salusbury*, Lieutenant Colonel, commanding 101st Regiment.

Camp Nowa Killa,
27 December 1863.

HER MAJESTY'S 71ST HIGHLAND LIGHT INFANTRY.

NOMINAL ROLL of Men of the above Corps, who distinguished themselves while under the command of Brigadier General Sir N. Chamberlain, K.C.B., Commanding Eusufzye Field Force.

Regimental No.	Rank and Names.	Particulars of Acts of Gallantry.
3,907	Private William Clapperton -	These two men were specially mentioned by Major Brownlow, 20th Regiment Native Infantry, for having displayed the most conspicuous gallantry on the attack of the Eagle's Nest, on the 20th October 1863. These two men are marksmen.
3,765	Private George Stewart -	
4,010	Private William Malcolm -	This man was specially mentioned by Captain Rogers, 20th Regiment Native Infantry, for having distinguished himself on the occasion. Major Harding was killed on the 6th November 1863.

Camp Nowa Killa,
26 December 1863.

(signed *N. Parker*, Major,
Comdg. 71st Highland Lt. Infy.

EUSUFZYE FIELD FORCE.

NUMERICAL RETURN of Killed and Wounded in the above Force to 20th November 1863 inclusive.

CORPS.	Killed.	WOUNDED.					REMARKS.
		Mortally.	Dangerously.	Severely.	Slightly.	TOTAL.	
Half C. Battery 19th Brigade Royal Artillery.	–	–	–	3	2	5	
Hazara Mountain Train Battery -	1	1	1	2	2	7	
Peshawur Mountain Train Battery -	3	1	–	7	1	12	
Guide Cavalry - - - - -	–	–	–	1	1	2	
11th Bengal Cavalry - - -	1	–	–	1	–	2	
Her Majesty's 71st Highland Light Infantry.	20	4	5	19	22	70	
Her Majesty's 101st Royal Bengal Fusiliers.	21	2	5	24	23	75	
Guide Infantry - - - - -	2	–	–	1	5	8	
1st Punjab Infantry - - - -	34	12	4	39	27	116	
3d Punjab Infantry - - - -	5	2	2	6	8	23	
5th Punjab Infantry - - -	6	1	1	7	8	23	
6th Punjab Infantry - - -	11	6	10	16	16	59	
14th Ferozepore Regiment Native Infantry.	47	9	8	33	22	119	
20th Punjab Infantry - - -	32	7	–	45	49	133	
32nd Native Infantry (Pioneers) -	–	–	–	–	4	4	
4th Goorkha Regiment - - -	5	–	–	2	2	9	
5th Goorkha Regiment - - -	25	4	2	15	18	64	
TOTAL - - -	213	49	38	221	210	731	

(signed) *T. Wright*, Major,
Asst. Adjt. Genl.

(signed) *N. Chamberlain*, Brigr. Genl.
Comdg. Eusufzye Field Force.

EUSUFZYE FIELD FORCE.

NOMINAL ROLL of Officers of the above Forces Killed in Action to 20th November 1863 inclusive.

Date of Casualty.	Rank and Names.	Corps or Department.	Remarks.
1863.			
22 October	Lieutenant Gillies	Hazara M. B	
26 „	Lieutenant Clifford	3d P. N. I.	
26 „	Lieutenant Richmond	20th P. N. I.	
6 November	Ensign C. B. Murray	71st H. L. I.	
6 „	Lieutenant Dougall	79th Highlanders	
6 „	Major G. W. Harding	2d L. Infantry	
13 „	Lieutenant J. P. Davidson	1st. P. N. I.	
18 „	Captain C. F. Smith	71st H. L. I.	
18 „	Lieutenant Jones	79th Highlanders	
18 „	Lieutenant H. H. Chapman	101st R. B. F.	
18 „	Lieutenant W. F. Mosely	14th N. I.	
19 „	Captain R. B. Aldridge	71st N. I.	
20 „	Ensign A. R. Sanderson	101st R. B. F.	
20 „	Assistant Surgeon W. Pile	101st R. B. F.	

(signed) *T. Wright*, Major, Asst. Adjt. Genl. (signed) *N. Chamberlain*, Brigr. Genl. Comdg. Eusufzye Field Force.

EUSUFZYE FIELD FORCE.

NOMINAL ROLL of Officers of the above Force Wounded in Action to 20th November 1863 inclusive.

Date.	Rank and Names.	Corps or Department.	Remarks.
186			
26 October	Lieutenant F. Drake	32d N. I.	
26 „	Lieutenant Barron	Survey Department	
30 „	Major C. P Keyes	1st P. N. I.	
30 „	Lieutenant H. W. Pitcher	1st P. N. I.	
6 November	Lieutenant W. Battye	Guide Infantry	
6 „	Lieutenant J. S. Oliphant	5th Goorkhas	
6 „	Lieutenant H. W. Pitcher	1st P. N. I.	Second time wounded.
13 „	Lieutenant A. D. C. Inglis	14th N. I.	
18 „	Ensign C. M. Stockely	101st R. B. F.	
20 „	Colonel W. Hope, C.B.	71st. H. L. I.	
20 „	Major J. P. W. Campbell	5th Goorkhas	
20 „	Lieutenant Colonel J. L. Vaughan	5th P. N. I.	
20 „	Brigadier General Sir N. Chamberlain, K.C.B.	General Staff	
20 „	Lieutenant Anderson	Orderly Officer	
22 October	Lieutenant Brown	Royal Engineers	

(signed) *T. Wright*, Major, Asst. Adjt. Genl., (signed) *N. Chamberlain*, Brigr. Genl., Comdg. Eusufzye Field Force.

From Major General *J. Garvock*, Commanding Field Force, to Adjutant General of the Army. Dated Head Quarters, 22 December 1863.

I HAVE the honour to report, for the information of his Excellency the Commander in Chief, that the operations carried on by the troops under my command since I last addressed you, have resulted in the total defeat and complete submission of the enemy.

2. In my letter of the 10th instant, I informed you that I intended to attack, on the following morning, according to a plan of which I then gave the details. And

And in the postscript of that letter, I made you acquainted with the causes which obliged me to abandon that intention; and informed you that the "Jirgah," or Council of Elders, of the Bonairwals had come to our camp, and been received by the Commissioner.

3. They remained with us until the following day, when they took their departure for the purpose of consulting their people, and of determining whether to accept or to reject the proposals made by Major James for establishing a treaty of peace. Their final answer was received and communicated to me by the Commissioner on the afternoon of the 14th instant; and as it was of an unsatisfactory nature, I at once determined to move against the enemy early on the following morning.

4. The necessary arrangements were accordingly made. Rations for two days were served out and cooked during the night; and at daybreak on the 15th instant, a force (composed as per margin)* of 4,800 men, unencumbered by tents or baggage, was ready to move. 2,900 men under Lieutenant Colonel Vaughan, of the 5th Punjab Infantry, were left in camp for its protection.

5. The attacking troops were formed into two columns, under the command, respectively, of Brigadiers Turner and Wilde. The first, under Brigadier Turner, led the way; and, issuing from our position by the Water Picquet, at once drove in the enemy's outposts from the ridge in its front. Brigadier Wilde followed by the Crag Picquet with the second column; and the whole force was shortly formed under cover of the ridge, and immediately in front of the enemy's main position.

6. This was of the most formidable kind. Immediately before us, at a distance of some 600 yards, rose a conical hill of considerable height. Its sides were rocky, precipitous, and scarped by nature: and its summit, strongly occupied, was strengthened by stone breastworks offering no ordinary obstacle. The ascent of this hill would be a matter of considerable difficulty under any circumstances. Below it, and to its proper left, were a number of temporary huts, strongly protected by artificial defences. Beyond it stretched a narrow ridge, terminating in a hill of lesser elevation, and then came a small picturesque level, backed by a lofty range, and containing the village of Lalloo. On the right of our position was a deep valley, and on the left several steep descending spurs, stretching down into the gorge leading from our camp to the Valley of Chumla.

7. My arrangements for the attack were soon completed. Covered by the fire of the guns of the Mountain Train, which were admirably served, the whole line of infantry, throwing its right shoulders forward, with the exception of some regiments on the extreme left, to which I shall presently refer, advanced, on a signal given by myself, in admirable order. The men swarmed up the sides of the Conical Hill; and, having halted for a moment to recover breath under cover of the rocks near its summit, burst over the breastworks and at once carried the position. Bearing in mind the precipitous nature and extreme difficulty of the ground, and the heavy fire maintained by the enemy, the trifling loss on our side affords the best proof of the coolness and judgment displayed by officers in command, and the steadiness as well as dashing gallantry of the men.

8. The key of the enemy's position being thus in our hands, that excellent and energetic officer, Brigadier Turner, pressed rapidly forward with the greater part of his column to the village of Lalloo. It was quickly in his possession, and, with its large stores of grain, at once destroyed.

9. Meanwhile the enemy had not been idle in other quarters of the field. With

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* Peshawur Mountain Train, 4 guns.
Hazara Mountain Train, 4 guns.
2 Companies Sappers.
7th Royal Fusiliers.
101st Royal Bengal Fusiliers.
4th Goorkha Regiment.
23d Regiment Pioneers.
32d Regiment Pioneers.
Corps of Guides.
3d Punjab Infantry.
3d Seikh Infantry.
5th Goorkha Regiment.
Half D Battery Royal Artillery, 3 guns.
Half No. 3 Punjab Battery, 2 guns.
71st Highland Light Infantry.
93d Highlanders.
14th Regiment Native Infantry.
20th Regiment Native Infantry.
1st Punjab Infantry.
5th Punjab Infantry.

With a peculiar aptness, for which he has always shown himself remarkable, to turn his knowledge of the country to the best account, and evidently under the impression, from the conflagration at Lalloo, that our force had pressed on too far, leaving its left unguarded, he directed a heavy column up the spurs leading from the gorge, and vigorously assaulted Brigadier Wilde. But he was met on the crest, and held in check, by the regiments placed there with that especial object by that most valuable and judicious officer. Apprehensive that the force opposed to the Brigadier might be overpowering, I had despatched to his support two companies of the 7th Royal Fusiliers; and while they were in the act of moving towards him, he sent me an urgent request for aid. I then further reinforced him with the 101st Royal Bengal Fusiliers, with the exception of four companies left at the Conical Hill and on the ridge beyond it, protecting two guns of the Mountain Train. A forward movement was now made; and the 101st Fusiliers, 3rd Seikhs, and 5th Goorkhas, leaving the rest of the column in reserve, poured down on the enemy, and drove him with great slaughter headlong down the steep.

10. Simultaneously with this attack on our left, the camp was hotly assailed by a large body of the enemy. But the force left to defend it, under that very excellent officer Lieutenant Colonel Vaughan, well discharged its important duty. The enclosed report, marked No. 1, with its enclosure, will give the details; and I have therefore only to draw the special attention of the Commander in Chief to the distinguished gallantry of Major Keyes and of Lieutenant Unwin. A loss to the enemy of about 80 killed was the result of their vigorous onslaughts.

No. 1. Report of Lieut. Colonel Vaughan, with enclosure from Major Keyes.

11. All opposition having now ceased, and the enemy being in full retreat in every direction, arrangements were made for bivouacking for the night. Brigadier Turner occupied the ground he had gained in the vicinity of Lalloo; Brigadier Wilde that between the camp and the Conical Hill. Not a shot was fired at us during the night.

12. Early on the morning of the 16th instant. having learned that horsemen might possibly succeed in accomplishing the descent from our position, I brought from camp 400 sabres of the 11th Bengal Cavalry and Guide Corps, under the command of Lieutenant-Colonel Probyn. On their arrival the order was given to move. Brigadier Wilde, whose column I myself accompanied, passed down by the spurs in his immediate front; the mountain-train guns attached to him, and Lieutenant-Colonel Probyn's cavalry, descending by a steep path which ran down a hollow on his right. The descent occupied about two hours, ground more difficult for mounted men having never before, I believe, been traversed, even in the hills of the Amatola. The various paths were marked with blood, evidence of the severe loss suffered by the enemy, who had been engaged during the night in carrying off his wounded men.

13. Having reached the level ground below, I observed the enemy in force occupying a spur which ran down from the extremity of the Gurroo Mountain on our left, and, stretching very nearly across the entrance of the gorge, barred our advance to the Valley of Chumla. Having carefully examined the position, which was one singularly well chosen and of unusual strength, I determined to attack and turn its right. Having made his dispositions, Brigadier Wilde moved forward accordingly.

14. In the meantime Brigadier Turner had been conducting his descent from Lalloo with great ability. Passing down by several ridges, he caused his left regiment to effectually protect the right of the column under Brigadier Wilde, which it ultimately joined; his next corps reached the valley at the very point where the spur forming the enemy's position, and the end of which I directed it immediately to seize, disappeared in the level; while the main portion of his column debouched into the open immediately opposite the town of Umbeyla, where it at once deployed into line. The ground over which he passed was of extraordinary difficulty, and scarcely practicable for even the mountain train. A company of sappers, under Lieutenant Tucker, rendered most valuable service.

15. Up to this time the cavalry had remained concealed behind a projecting spur. I now ordered it to advance. Pressing on at a gallop, these splendid horsemen, under their well-known leader Lieutenant-Colonel Probyn, C.B. and V.C..

v.c., and Captain Hawes, of the Guide Corps, passed round the left of the enemy's position, now in our possession, swept into the valley beyond, and halted to the eastward of Umbeyla. The town had been previously abandoned, and was immediately fired. All other property in the valley has been scrupulously protected, but Lalloo and Umbeyla well deserved their fate.

16. Brigadier Wilde encountered but little opposition where the most had been expected. The ground in his front was of singular strength, and peculiarly capable of defence; but the enemy, seeing his left so effectually turned by Brigadier Turner's column and by the cavalry, abandoned his position, and, almost without firing a shot, retreated slowly towards the pass leading to Bonair.

17. Brigadier Turner now received an order from me to advance and endeavour to cut off the enemy retiring to the pass before Brigadier Wilde. He moved across the valley in perfect and beautiful order, passed close to the left of the burning town of Umbeyla, and arrived within a few hundred yards of the pass. Then the enemy, probably perceiving his object, furiously attacked, sword in hand, the 23d and 32d Regiments of Seikh Pioneers, the corps in advance on his left flank. They were staggered for the moment by the sudden onslaught, but turning quickly on their assailants, almost destroyed them. Near two hundred bodies lay upon the field. Lieutenant Alexander, of the 23d, was killed, and Captain Chamberlain and Lieutenant Nott, of the 23d, and Major Wheler and Lieutenant Marsh, of the 32d, were wounded. During this affair the left flank was most gallantly and effectually protected by two companies of the 7th Fusiliers, and by a very judicious movement of the cavalry, ordered by Lieutenant Colonel Probyn.

18. Flushed with success, the Pioneer regiments now pressed forward into the pass, driving the enemy before them. But the day was far spent, the hostile position was occupied in great force, and I was besides aware that the Government did not desire to invade Bonair. I therefore directed the troops to be withdrawn. Three guns of Captain Griffin's battery of Royal Artillery had been brought on elephants from the camp. They were now fully horsed, a novel sight in the Valley of Chumla, and galloping forward, opened a fire of shot and shell. The movement was then effected in echelon of regiments from the right in admirable order, no molestation whatever being offered by the enemy, who, in immense numbers and in sullen silence, lined the heights above.

19. I may here mention that the force opposed to us on the 15th and 16th instant is estimated, after careful inquiry and observation, at 15,000 men; many native reports stating the numbers to have been far larger.

20. Having now endeavoured to give the main features of the two days' operations, I beg to enclose reports from officers in command of brigades, numbered 2 and 3, which will furnish his Excellency with the details. An excellent sketch by Major Johnstone, of the Revenue Survey Department, is likewise enclosed.

No. 2. Report of Brigadier Turner, C.B.

No. 3. Report of Brigadier Wilde, C.B.

21. We bivouacked on the night of the 16th instant in the neighbourhood of Umbeyla. Next morning the "Jirgah" tendered to the Commissioner their unconditional submission; and the stringent terms imposed upon and at once acceded to by them are contained in the accompanying document, marked No. 5. The political results of our success are in some degree shown by the enclosure marked No. 6, to which I would request his Excellency's attention. "Mulkah," the fanatic stronghold, is levelled with the ground. Its destruction was the primary object of the expedition, and has been now carried out, not by our troops but, at our dictation, by the Bonairwals—the very men who, a few days ago, were prepared to defend it. Enclosed is a report connected with it, marked No. 7.

No. 4. Sketch.

No. 5. Terms imposed on enemy.

No. 6. Political results as shown by Commissioner.

No. 7. Report on expedition to Umbeyla.

22. It now only remains for me to perform the pleasing duty of bringing to the special notice of the Commander-in-Chief the names of those officers who, in prominent positions, have done good and gallant service in the arduous campaign which has been brought to a victorious conclusion.

In the first place I desire to express my sense of obligation to Major James, C.B., the Commissioner. This officer's political sagacity is so well known, that I need only allude to it in passing. But I desire to place on record, in connec-

tion with the late operations, how much I owe to Major James' promptitude of action and decision of character in his civil capacity, and how valuable I have found his hearty co-operation.

My thanks are also due to Colonel Reynell Taylor, C.B., Commissioner of the Derajat.

The valuable services of Colonel Turner, C.B., commanding 1st Brigade, have been alluded to in the body of this report. He joined the very evening before our advance; and the manner in which he conducted the operations confided to him shows the wise discrimination of his Excellency the Commander-in-Chief, who ordered him up expressly from Central India,

I find it difficult to adequately express my appreciation of the merits of Lieutenant-Colonel Wilde, C.B., brigadier commanding the 2nd Brigade. Gallant and ever ready in action, he is also an officer in whose sound judgment the fullest reliance may be placed; and as his experience on this frontier has been of no ordinary kind, I consider myself most fortunate in every way in having been associated with him.

No officer in command has ever had more reason than myself to feel the value of an efficient staff. Lieutenant Colonel Allgood, Assistant Quartermaster General, is an officer so thoroughly conversant with the important and varied duties of his department, and so careful and vigilant in the discharge of them, that he would be most valuable as quartermaster-general of an army, however large. He was slightly wounded at the commencement of the campaign. Major Wright also, my Assistant Adjutant General, fully merits all that I can say in his praise. Active, intelligent, and most energetic in the performance of his duties, he has so discharged them as to thoroughly maintain discipline and efficiency. And his active services in the field have been of the most valuable kind.

Colonel A. Taylor, C. B., commanding Royal Engineers, is an officer of well-known ability in his department, and during these operations he has fully maintained his reputation.

The arrangements of Surgeon Munro, of the 93d Highlanders, principal medical officer of the forces, have been very perfect. He brings prominently to my notice the services rendered by Assistant Surgeon Sylvester, 11th Bengal Cavalry, in charge of the sick and wounded at the depôt at Nowa Killee.

My special thanks are due to Captain Jenkins, principal commissariat officer, for his unwearied exertions and the very efficient manner in which he has discharged his arduous duties.

Major Johnstone, of the Revenue Survey Department, has been of the greatest utility.

Captain Norman, lately appointed to the force as Assistant Quartermaster General, is highly spoken of by Brigadier Turner, to whose column he was attached.

I have to thank Captain Tulloh, the senior officer in command of the Royal Artillery, and Captains Griffin, Hughes, De Bude, and Salt, commanding batteries, for the good service they have performed.

Lieutenant Clarke, Royal Artillery, has rendered much assistance as Commissary of Ordnance.

Lieutenant Tucker has already been noticed as having been most useful in command of the Sappers.

I have to record my appreciation of the services of Lieutenant Colonel Probyn, C. B. and V. C., commanding the cavalry, with whose character his Excellency is already well acquainted; and of Lieutenant Hawes, commanding Guide Cavalry.

Colonel Shipley, commanding 7th Royal Fusiliers, is an officer of well-known reputation, and, with reference to his superior rank, would have taken command of the 2d brigade; but Lieutenant Colonel Wilde had been previously appointed to command a brigade by his Excellency, who was not aware that I had brought the 7th Fusiliers to the front. I had an opportunity of personally observing the gallant manner in which the regiment behaved under Colonel Shipley, more particularly in the attack on the Conical Hill.

Lieutenant Colonel Salusbury, who lately succeeded to the command of the 101st Royal Bengal Fusiliers, is an officer distinguished for gallantry and judgment; and the manner in which his regiment did its part, in carrying the strong position of the Conical Hill, commanded my admiration. The 101st Regiment, under his conduct, has on this occasion well maintained its ancient renown, first acquired on the field of Plassey.

Major

Major Keyes, commanding the 1st Punjab Infantry, is an officer of whom too much cannot be said in praise. He led his regiment and repulsed the enemy with great slaughter in the attack on the camp, although suffering from the loss of two fingers in a previous action.

Lieutenant Colonel Renny, commanding 3d Seikhs, was very seriously engaged with the enemy during the attack on our left flank. His regiment suffered considerably, was well led, and did excellent service.

Captain Close, commanding 5th Goorkhas, did good service on the same occasion, and merits my best thanks.

Major Morgan, commanding 32d Pioneers, is an excellent officer, and the manner in which his regiment behaved, in the serious affair at the entrance of the Bonair Pass, is prominently noticed by Brigadier Turner.

I would also draw his Excellency's attention to the mention made by the Brigadier of the good service rendered by the 23d Pioneers, under command of Captain Chamberlain, who was wounded at its head, displaying the accustomed courage of those who bear his name. The command of the regiment then devolved on Lieutenant Chalmers.

Lieutenant Colonel Vaughan, 5th Punjab Infantry (whose report is enclosed), commanded the troops left in camp to my entire satisfaction.

My thanks are due to Major Parker, commanding 71st Highland Light Infantry; Major Brownlow, commanding 20th N. I.; Major Ross, commanding 14th N. I.; Captain Tytler, v. c., commanding 4th Goorkhas; Major Burroughs, commanding 93d Highlanders; Captain Ruxton, commanding 3d Punjab Infantry, and to Lieutenant Jenkins, commanding the Guide Infantry.

I am anxious to express my full concurrence in the praise given by Brigadiers Turner and Wilde to the several officers mentioned by them.

Captain Chester, of the 4th Goorkhas, and Lieutenant and Adjutant Campbell, of the 71st Highland Light Infantry, were specially selected by me as majors of brigade, and are highly spoken of by their brigadiers.

Lieutenant Scott, 32d Pioneers, has rendered useful service as baggage-master.

I beg to return my best thanks to Colonel Adye, C.B., Deputy Adjutant General, Royal Artillery, and to Major Roberts, Assistant Quartermaster General, attached to the force on particular service, for their aid on many occasions.

I have every reason to appreciate the services of Lieutenant Mackenzie, staff officer of the Punjab Irregular Force, and of Lieutenant Jarrett, 1st Punjab Cavalry, my orderly officer; and I beg to recommend for favourable consideration my aide-de-camp, Captain E. M. Jones, Her Majesty's 20th Regiment, who joined me on the 19th instant from Calcutta.

23. The copy of a field-force order which I have issued is enclosed, together with a return of killed and wounded.

No. 8. Field Force Order.

No. 9. Casualty Return.

No. 1.

From Lieutenant Colonel *J. L. Vaughan*, Commandant, Camp, Umbeyla Pass, to Assistant Adjutant General, Eusufzye Field Force; dated 16 December 1863.

I HAVE the honour to report that, early in the forenoon of the 15th instant, whilst the advanced force under Major General Garvock's personal command was operating in the direction of Lalloo, a desultory attack was made by a considerable number of the enemy upon the front and left flank of the Upper Camp. Being met by the fire of the only one of Captain Griffin's guns (C. Battery R.A.) which could be brought to bear upon them from the Standard Picquet, and by the musketry fire from the breastworks, the enemy were reduced to taking cover amongst the rocks and broken ground, from which they caused from time to time considerable annoyance, not only to the Upper Camp, but also to the D. Battery and adjoining breastworks.

Later in the forenoon successive bodies of the enemy endeavoured to approach the camp by the gorge from the direction of Umbeyla; but, coming under the fire of the guns of D. Battery R.A., in the Lower Camp, they broke away to the left, and, ascending the ravines and spurs to the front of the position, joined in the attack upon the Upper Camp.

2. The advanced picquet upon the ridge, below and in front of the Crag Picquet (consisting on this day of 50 men of the 1st Punjab Infantry), had been threatened from early morning by a constantly increasing body of the enemy. An advanced post held by the picquet was

compelled to retire; but as successive reinforcements reached the officer in command, (Lieutenant Unwin, 1st Punjab Infantry), he retook this post very gallantly, and maintained his most important position on the ridge throughout the day, by means of well-timed and judicious charges upon the enemy, for which I consider him entitled to very great credit.

3. About 2 p.m. Major C. H. Brownlow, 20th Punjab Native Infantry, who had command of the right defences of the Upper Camp, observing that the enemy seemed much dispirited by the ill-success against Lieutenant Unwin's picquet, determined to assume the offensive from the camp. Accordingly, about 100 men of the 1st Punjab Infantry, led by Major C. P. Keyes himself, advanced from the breastworks, and, by a succession of well-executed charges upon the different points occupied by the enemy, completely cleared the whole front and left flank of the defences, driving the enemy in great confusion into the plain below. Major Keyes and his regiment deserve the greatest credit for this success, and for the heavy loss they inflicted upon the enemy. For further particulars I beg to refer to Major Keyes' separate report, which is enclosed.

1st Punjab Infantry: Killed, 9 rank and file; wounded, 15 rank and file.
5th Punjaub Infantry: Wounded, 3 rank and file,

4. The casualties amongst the troops during the day were as per margin.

5. In conclusion, I beg to recommend to the Major General's notice the officers and men mentioned in Major Keyes' report, and in particular Lieutenant Unwin, 1st Punjab Infantry.

From Major *C. P. Keyes*, commanding 1st Punjab Infantry, to Lieutenant Colonel *J. L. Vaughan*, Commandant in Camp; dated Heights above Umbeyla, 16 December 1863.

I HAVE the honour to report that on the morning of the 15th current, agreeably to previous arrangement, I detached 50 men of my regiment, under Lieutenant Unwin, to hold the "Advance Picquet" on the march of the force on Lalloo.

2. Early in the day the enemy were observed advancing in great force from Umbeyla towards the head of the pass; large bodies were soon lost to sight in the ravines in front of our position, and their subsequent movements and object could only be left to conjecture.

3. The ground occupied by the "Advance Picquet"—from which the whole of the centre of our position could be commanded, and on which the "Crag Picquet" could not, from the nature of the ground, maintain an effective fire—was the point the enemy strove to gain. This point was so important to the safety of our main position, that I instructed Lieutenant Unwin that he was to hold it as long as he could, with any degree of safety, remain there. The enemy repeatedly crept up under cover of the rocks within a few yards of the picquet, having driven in a small party placed there for observation. Lieutenant Unwin was then reinforced, and subsequently had 200 Rifles at his disposal, including 60 men of the 5th Punjab Infantry under Lieutenant Fox—all that could be spared from our reduced force. The enemy made two vigorous attempts, in considerable strength, to take the position, and were only repulsed on each occasion by the picquet charging down upon them, inflicting a loss of 40 killed.

4. Shortly after the last charge many of the enemy, who had been concealed behind the rocks and in the ravines all along the front of our position, were seen to retreat, carrying off their wounded. I therefore consulted with Major Brownlow, the senior officer commanding in our upper position, who had expressed an opinion that the enemy's retreat would be turned into a rout by a vigorous charge. It was arranged that 100 men of the 1st Punjab Infantry, and 100 of the 20th Punjab Infantry, should be led out for the purpose. I took the men of the 1st Punjab Infantry to the front of the breastwork of the 7th Royal Fusiliers, in order to seize the old "Centre Picquet," which flanked many of the rocks, behind which the enemy were concealed. Major Brownlow, on advancing to join me, observed a sudden movement of the enemy in front of the main breastwork, which he consequently re-occupied.

5. The rocks of the old "Centre Picquet" were gained without opposition; and the enemy, who were collected in considerable numbers behind them, were driven out in utter confusion. Those concealed behind the lower works kept up a desultory fire for a short time, but were also driven from every point into the gorge below, leaving their dead on all sides.

6. I beg to bring to notice the conduct of Lieutenant Keen, second in command on the right, and Lieutenant Vallings on the left, who led the attack on the enemy with great spirit, following them up to the rocks of the old "Cliff Picquet" immediately above the gorge.

7. The

7. The spirit and judgment with which Lieutenant Unwin, assisted by Lieutenant Oliphant, held his difficult post against the repeated attacks of the enemy, is deserving of special notice. That officer speaks in high terms of the manner in which he was supported by the company of the 5th Punjab Infantry, and brings specially to notice the conduct of Joomah Havildar and Private Shere Naz, of that corps.

8. Our total loss was 9 killed and 18 wounded, while the loss inflicted on the enemy was considerable.

9. The usual Casualty Return has been forwarded to the Brigade Office.

ROLL of Native Officers, Non-commissioned Officers, and Men of the 1st Punjab Infantry, recommended for the "Order of Merit."

Rank and Names.	Former Services in the Field.	Act of Gallantry for which Recommended.
Jemadar Mah Sing -	Bozdar Expedition - -	Most conspicuous for their gallantry in charging the enemy, when their picquet was attacked on the 15th December. Jemadar Mah Sing and Havildar Hera Sing, both severely wounded.
	Delhi - - - - -	
	Wuzeeree Expedition - -	
Havildar Hera Sing -	Ditto, ditto; 3d Class Order of Merit as Sepoy - -	
Havildar Ufzul -	Bozdar Expedition - -	
	Delhi - - - - -	
	Wuzeeree Expedition - -	
Sepoy Bortah Sing -	Bozdar Expedition - -	Most conspicuous for gallantry in charging the enemy on the 15th December. Sur Billend Sepoy was severely wounded.
	Delhi - - - - -	
	Wuzeeree Expedition - -	
Sepoy Sur Billend -	Ditto, ditto, ditto; 3d Class Order of Merit - - -	
Sepoy Mowaz - -	Delhi - - - - -	Most conspicuous for his gallantry in making a stand alone against several of the enemy, when the rest of his picquet had retired after charging. Most strongly spoken of by Colonel Salusbury, of Her Majesty's 101st Royal Bengal Fusiliers, 15th December 1863.
	Wuzeeree Expedition - -	

Camp, Umbeyla Pass,
19 December 1863.

(signed) *C. P. Keyes*, Major,
Commanding 1st Punjab Infantry.

No. 2.

From Colonel *W. W. Turner*, Commanding 1st Brigade Eusufzye Field Force, to Assistant Adjutant General; dated 19 December 1863.

I HAVE the honour to report, for the information of the Major General Commanding Eusufzye Field Force, that in compliance with his orders of the 14th instant, the troops as per margin* were formed under my command at the base of the Crag Picquet, at daylight on the 15th instant, and that on receiving the order to advance, they moved in the following formation:—4th Goorkhas, three companies skirmishing, three in support; 3d Punjab Infantry, four companies skirmishing and four in support, covering right flank; reserve—7th Royal Fusiliers, Company Sappers, Hazara Mountain Train, 23d and 32d Pioneers.

*Hazara Mountain Train, 1 Company Sappers, 7th Royal Fusiliers, 3d Punjab Infantry, 4th Goorkhas, 23d Pioneers, 32d Pioneers.

The advance was made from the right flank of the Water Picquet, and on reaching the crest of the heights overlooking that position encountered the enemy's picquets, which were driven before them with some loss to the "Conical Hill."

This "Conical Hill" was occupied in force, strengthened by stone breastworks, and formed a very formidable position. From this hill we were separated by a valley about 200 yards wide; and I therefore directed the troops to line the crest of the height overlooking it from our own side, to await the arrival of four Hazara Mountain Train guns, which on coming up were forthwith brought into action. Under cover of their fire I moved the 23d Pioneers, supported by the 32nd Pioneers, into a valley on the right, and secured a height which enabled me to turn the left of the enemy's position. These arrangements completed, and the general advance sounded by the Major General from

the centre of the line, we advanced down the hill across the valley; and in ten minutes were in possession of the whole position, driving the enemy down the opposite side of the height

The village of Lalloo now appeared about a mile and a half on our right flank. I therefore pressed the pursuit in that direction, leaving five companies to guard and bring up the guns; and followed the enemy so closely, that the village was entered with them, and he retreated in the utmost confusion down the hills towards Umbeyla.

On securing possession of the village, I found myself on a line of heights flanking the approach to the "Conical Hill," up which the enemy was now streaming to attack the second brigade, in position there.

I therefore brought the fire of the guns to bear on his flank, and on his being repulsed and driven into the plain, turned one of the guns upon him in that direction.

As orders were now brought to me to maintain my position for the night, and be prepared to move down into the Chumla Valley from the village of Lalloo the following morning, I secured my position accordingly and bivouacked for the night.

At 9 a.m. on the 16th, as soon as the second brigade began to descend from the "Conical Hill," by the spur leading therefrom into the valley, I also, having the shortest line, moved in echelon of regiments from my left; the 3d Punjab Infantry down the spur, which ran parallel to that, by which the second brigade was descending; the 4th Goorkhas down the next parallel ridge; and the main body—consisting of the 23d in advance, left wing Royal Fusiliers, Hazara Mountain Train and Sappers, and right wing Royal Fusileers—down the gorge, leading from the village of Lalloo to that of Umbeyla, in the Chumla Valley; while the 32d crowned the heights and effected a parallel movement, covering my right flank.

The pathway down was steep and, in parts, precipitous and rocky, and it was with great difficulty that the mountain-train guns could be brought down; but Captain De Bude, by his energy and perseverance, overcame all obstacles; and at 2½ p.m., I found myself able to debouch into the plain with the leading regiments and the left wing of the Royal Fusiliers.

Our descent from Lalloo so completely took the enemy's position in reverse, that he abandoned it at once (although very strong) without firing a shot, and filed away to his right of the "Bonair Pass."

The 3d Punjab Infantry and 4th Goorkhas, regiments of my brigade, had now effected their junction with the right of the left brigade, and with it were in possession of the extreme right of the enemy's position, which was about a mile and a half from, and facing, the entrance of the "Bonair Pass."

Under instructions from the Major General Commanding, to try and cut off the rear of the enemy from the pass, but not to compromise myself in the pass, I formed a line of the 23d and left wing of the 32d, with the right wing of that regiment in column of companies at wheeling distance left in front, and directed the advance along the south-western face of the village of Umbeyla; the left wing of the 7th Royal Fusiliers forming the reserve, in quarter-distance column, in rear of the centre of the line.[1]

After passing the village, the right wing of the 32d was brought up in prolongation of the line to the right, which brought the right near the base of the hill which shut in the mouth of the pass. The advance was steadily continued in the same order to within about 800 yards of the mouth of the pass, when the enemy opened a furious fire of matchlocks and zumbooruks, which was returned by the line as it continued to advance.

On nearing the mouth of the pass, which was shut in by broken ground covered with jungle, I observed a large body of the enemy moving to their right and beyond my left flank; I therefore moved two companies from the reserve of the Royal Fusiliers, and placed them in an oblique position covering the left; whilst at the same time Colonel Probyn, C. B., V. C., commanding 11th Bengal Cavalry, also moved a body of his men into a position which still further covered the left flank.

Seeing these movements, the enemy made a furious onset, sword in hand, upon the line; but the two regiments composing it destroyed the whole of them, not allowing one of them to escape back.

The enemy now withdrew completely into the pass, and I made arrangements to draw off the regiments engaged, which was effected under cover of the fire of the guns of the Hazara Mountain Train and ½ C Battery 19th Brigade, under command of Captain Griffin, in echelon of regiments from the right; and the movement was not in any way molested or followed by the enemy, who had suffered severely and had upwards of 200 dead lying on the field, 40 of whom were Hindostanees.

Having thus sketched cursorily the operations of the first brigade on the 15th and 16th instant, I cannot refrain from bringing to notice the excellent service performed by the two Pioneer Regiments, the 23d and 32d, who were most forward in the attack and in the pursuit, and who, if properly equipped as Pioneer Regiments, would most unquestionably perform most dashing and useful service. It is invidious, where all behaved with the utmost gallantry and dash, to particularise any regiment; but I have been induced to do so upon this occasion, because both the 23d and 32d have for the last two years been employed upon nothing but roadmaking.

Of their commanding officers, Major Morgan and Captain Chamberlain, I cannot speak too highly; and upon the latter being wounded, the command of his regiment devolved upon Lieutenant Chalmers, who conducted it very greatly to my satisfaction.

I beg also to bring to notice the excellent service rendered by—

Colonel Shipley, commandant Royal Fusiliers;

Captain

Captain Ruston, commanding 3d Punjab Infantry;
Captain Tytler, commanding 4th Goorkhas;
Captain DeBude, commanding Hazara Mountain Train Battery;
Captain Griffin, commanding half-company Royal Artillery, and
Lieutenant Tucker, commanding company of Sappers.

I must also express my thanks to the officers who acted on my personal staff—
Captain Norman, Assistant Quartermaster General;
Lieutenant Campbell, 71st Highland Light Infantry, Brigade-major;
Lieutenant Brown, Royal Engineers;
Lieutenant Jackson, 11th Bengal Cavalry, orderly officer;
And also to Captain Warren, Royal Artillery, who kindly volunteered his services for the occasion.

Annexed is a Return of the casualties in the two days' operations, and of the arms and trophies taken from the enemy, whose loss cannot be computed at less than 270 killed, with very numerous wounded, which we saw carried away from the hillsides. One Hindostanee was also made prisoner and handed over to Major James, the Commissioner.

In conclusion I beg to add the names of those officers, native officers, and men who are particularly brought to my notice by their commanding officers, as having especially distinguished themselves; and to recommend that the decoration of the "Order of Merit" should be conferred on those who are eligible to receive it:—

½-C battery 19th Brigade, Royal Artillery:
Captain Butt.
Lieutenant DeLatour.

Hazara Mountain Train Battery:
Golundauz Heera Sing 2d.
„ Vergun Sing 2d.

Sappers and Miners:
Naick Mahomed Khan.

3d Punjab Infantry:
Captain Ogilvie.
Lieutenant Cardew.
Subadar Ram Sing.
„ Astur Mahomed.
Jemadar Lall Sing.
„ Alladad.
Naick Shunkair.
Sepoy Ramjan.
„ Fagul.
„ Akhmed.
„ Hugrootnoor.
„ Faudy.

3d Punjab Infanty—*continued.*
Sepoy Kalpa.
„ Meer Affzul.
„ Wusseun.
„ Hun Sing.
„ Shere Raj.
„ Morad.

4th Goorkhas:
Havildar Chamoo Goosuing.
Sepoy Pestant Sahie.
„ Modoram Rusnaik.
„ Bhow Sing Kunta.
Serjeant Major A. Delachey.

23d Pioneers:
Havildar Nihoe Sing.
Sepoy Bhopal.

32d Pioneers:
Lieutenant Marsh, twice wounded.
Major Wheler, severely ditto.
Ensign Stevens, Adjutant.

RETURN of Standards, Arms, &c. taken from the Enemy, by the First Brigade, on 15 and 16 December 1863.

Standards	5
Tulwars	126
Knives, &c. &c.	4
Government Firearms	12
Native „	56
Shields	6

W. W. Turner, Colonel,
Commanding 1st Brigade, Eusufzye Field Force.

RETURN of Casualties in the First Brigade Eusufzye Field Force, at the Storming of the "Conical Hill," and subsequent Pursuit of the Men to Lalloo, 15 December 1863.

	KILLED.	WOUNDED.
British officers	–	1
Native „	–	2
Serjeants	–	2
Rank and file	3	16
TOTAL	3	21

RETURN of Casualties in the First Brigade Eusufzye Field Force, at the Capture of Umbeyla and Driving the Enemy into the Bonair Pass, 16 December 1863.

	KILLED.	WOUNDED.
British officers - - - -	1	4
Native „ - - - -	-	3
Serjeants - - - - -	1	2
Rank and file - - - -	6	46
TOTAL - - -	8	55

W. W. Turner, Colonel,
Commanding 1st Brigade, Eusufzye Field Force.

From Colonel *W. W. Turner*, Commanding First Brigade, Eusufzye Field Force, to Assistant Adjutant General, Eusufzye Field Force; dated Camp Heights above Umbeyla, 20 December 1863.

IN continuation of the concluding paragraph of my report upon the part taken by the brigade under my command on the 15th and 16th instant, I have the honour to state that Captain Chamberlain, commanding 23d Pioneers, has, in his report to me, made the most special mention of the services of Dr. Cheke, in medical charge of his corps, and requested that they may be brought to the notice of his Excellency the Commander in Chief.

Captain Chamberlain has also brought to my notice the services of Private Fergus Rogers, 101st Royal Bengal Fusiliers, who, separated from his regiment at the Conical Hill, joined in the pursuit of the enemy, in which he greatly distinguished himself.

No. 3.

From Lieutenant-Colonel *A. Wilde*, C.B., Commanding Second Brigade Eusufzye Field Force, to Assistant Adjutant General, Eusufzye Field Force; dated Camp Umbeyla, 17 December 1863.

AGREEABLY to Field Force Orders, I assumed command of the troops as per margin,* which composed No. 2 or the left column of the attacking force, organized on the night of the 14th December 1863, for the assault on the enemy's position at Lalloo Bandah and the subsequent descent into the Chumla Valley.

2. For the information of the Major-General Commanding, I have the honour to report the operations of the above column during the 15th and 16th instant.

3. On the morning of the 15th I formed the column in the order marginally noted,† and as soon as No. 1 Column had passed out of the main position of the Upper Camp, the troops advanced under the Crag Picquet; the skirmishers of the 5th Goorkha Battalion quickly reaching the low ridge of rocks immediately in front of the enemy's position, which was situated on a high steep hill covering the hamlet of Bandah.

This hill was occupied by the enemy, who held it in strength behind stone breast-works; and I made the following dispositions for the assault:—The Mountain Train moved up and opened sufficient fire to keep down the matchlock fire from the heights; Her Majesty's 101st Royal Bengal Fusiliers and Corps of Guides were formed in line of contiguous columns out of fire behind the ridge; the other two regiments being held in reserve, in column of sections, to preserve the left flank during the coming attack.

Having reported to the Major-General that my column was prepared, we waited the signal to advance, the guns opening their full fire with effect.

After

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* Peshawur Mountain Train (4 guns), Her Majesty's 101st Royal Bengal Fusiliers, Corps of Guides, 3rd Seikh Infantry, 5th Goorkha Battalion, Company Sappers and Miners.

† *Advance Guard:* 5th Goorkha Battalion, Her Majesty's 101st Fusiliers, Peshawur Mountain Train, Sappers and Miners, Corps of Guides, 3d Seikh Infantry, Mountain Train Extra Ammunition, Infantry Extra Ammunition, Dandees.

Rear Guard: 3d Seikh Infantry.

After a short interval both columns were ordered to advance, and, charging over a small plain, began to ascend the hill. Her Majesty's 101st made straight for the highest peak, a strong work crowded with the Hindoostanee fanatics and their Pathan allies. The Corps of Guides took, by my order, a point a little below, with the object of taking the pressure off the 101st, to whom the most difficult part of the assault had been safely assigned. The regiments of the right column moved on with equal rapidity, and the whole face of the hill was soon covered with our troops.

Aided by the excellent practice of the mountain trains of both columns, the result of the conflict was soon determined; 2,000 and upwards of the enemy were put to flight, and fled in the direction of the hamlet, rapidly pursued by our men. Part of the Corps of Guides, and the 23d Native Infantry, had the houour of reaching the village about the same time, which they fired. Her Majesty's 101st, leaping into the breastwork, bayoneted some 30 of its defenders; and the Corps of Guides, turning the position under a shower of stones, shot and cut down numbers as they retreated from the peak of the hill to escape from the assault of the gallant 101st Fusiliers.

In the meantime the reserve, under my own direction, secured the line of hills on the left overlooking the Chumla Valley, driving small parties of the enemy before us.

As soon as the main position of the enemy was gained, I moved the Mountain Train to the end of the ridge, and placed the two regiments in position to watch the spurs of the mountain leading up from the Umbeyla plain—a duty that had been entrusted to me by the Major General before the attack commenced.

As anticipated, we had not long to wait. Large bodies of the enemy, hearing from the sound of the guns above what was occurring, came out of the village of Umbeyla, and threatened both the left of camp and our communication along the mountain with it.

Sending for reinforcements, two companies of Her Majesty's 7th Fusiliers, previously despatched, passed my messenger on the road; and shortly a wing of the 101st, and the Corps of Guides, rejoined my command.

Passing these troops along my rear, I reoccupied all the ground close up to the Crag Picquet, and waited for the enemy to approach.

Shortly afterwards, under the Major General's personal instructions, I directed the 5th Goorkha Battalion and a part of the 3rd Seikhs to charge and drive off the enemy. This was most gallantly done by both corps, the Goorkhas capturing a standard. The enemy lost men not only here, but in a similar charge that was made by Her Majesty's 101st down the spur they were watching.

4. With this defeat all opposition ceased, and the regiments bivouacked on the ground they had been fighting on.

5. On the following morning the column descended, covering the guns and cavalry, which passed down the Lalloo ravine into the valley.

We reached the plain about midday, and a column having been formed, as per margin,* I advanced across the valley towards the Bonair Pass.

As the column debouched into the open country, the enemy appeared in great force on a low ridge of hills, which completely covered the approach to the village of Umbeyla. Numerous gay standards of all colours were visible on the prominent hillocks, and an engagement, on comparatively easy ground to what we had been accustomed to, was confidently hoped for by the troops, who moved forward in high spirits.

On approaching the position, two attacking columns were formed: the enemy, however, gradually disappeared, and retired to the Bonair Pass; and the ridge was subsequently taken possession of, and is still occupied by the column under my command.

6. In concluding this report—which may probably be the last in this campaign, as the enemy have to-day tendered their submission to Her Majesty—I beg to bring the services of the following officers prominently to the notice of the Major General, not only for their exertions during the engagement of the 15th, but for work gallantly and ably performed under my command on many previous occasions:—

Lieutenant Colonel Salusbury, commanding 101st Royal Bengal Fusiliers.

Captain Hughes, commanding Peshawur Mountain Train.

Lieutenant F. Jenkins, commanding Corps of Guides.

7. My thanks are also due to Lieutenant Colonel Renny, commanding 3rd Seikh Infantry, and Captain Close, commanding 5th Goorkha Battalion. The first has but lately joined the force, but the latter has led his regiment against the enemy most steadily on several occasions.

8. Captain Chester, Brigade Major, and Lieutenant Mackenzie, Staff Officer of the Punjab Irregular Force, accompanied me throughout the day, and are both excellent and efficient staff officers.

9. Lieutenant Colonel Salusbury, Commanding Her Majesty's 101st, speaks highly of the conduct of Major Lambert and Captain Parsons, both of the above corps; and from personal knowledge I can support his recommendation.

Lieutenant

* *Advance Guard:* One Company Corps of Guides, Corps of Guides, Her Majesty's 101st Royal Bengal Fusiliers, Peshawur Mountain Train, Sappers and Miners, 5th Goorkha Battalion, 3d Seikh Infantry, Ammunition Dandees.

Rear Guard: One Company 3d Seikh Infantry.

Lieutenant Colonel Renny, commanding the 3rd Seikh Infantry, mentions the gallant bearing of Lieutenant J. Cook, of the 3rd Seikhs, when his men charged down the hill; and I saw Lieutenant Codrington, of the 5th Goorkhas, myself leading on his men after the enemy in a manner that must have instilled confidence into men naturally less brave than our Goorkha sepoys.

10. I append a list of men reported to have distinguished themselves, and the usual casualty returns.

ROLL of Men of Her Majesty's 101st Royal Bengal Fusiliers specially recommended for Reward on account of distinguished Acts of Gallantry in the Action of the 15th instant.

Camp, 21 December 1863.

No. 380, Private *Daniel Flannery*, No. 4 Company, was the first man in at the left of the Conical Hill, and jumped in over the breastwork in the face of five or six of the enemy, and engaged them. Captain T. Butler was an eyewitness to this soldier's bravery.

No. 696, Colour Serjeant *Denis Magrath*, No. 9 Company, was one of the first men in on the right of the Conical Hill, and saved Major Lambert's life. Several men attacked Major Lambert, and his pistol missed fire twice. This soldier rushed in front of Major Lambert and bayoneted the leader.

(signed) *A. Wilde*, Lieutenant Colonel,
Commanding Second Brigade.

ROLL of Men in Corps attached to the Left Column Eusufzye Field Force, recommended for the "Order of Merit" for conspicuous Acts of Gallantry before the Enemy.

Camp, Umbeyla Village, 18 December 1863.

Soorjun, Sepoy, No. 1 Company Corps of Guides.—Was orderly to the Assistant Adjutant General on the 16th instant, and was sent with a note to some officer; not finding any one, however, who would take the note, he charged with the 23d Pioneers and killed one of the enemy, receiving at the same time himself a spear-wound and two sword-cuts. Witness: Mehal Sing, Havildar, No. 3 Company 23d Native Infantry.

Sobha Sing, Sepoy, No. 6 Company Guide Corps.—Was very forward in entering the village of Lalloo on the 15th instant, killing one of the enemy in single fight.

Ralmootoolla Bey, Jemadar, No. 8 Company 3d Seikh Infantry.—Displayed the greatest gallantry during the whole day of the 15th, when his company was keeping the enemy in check. When the final charge was made, he led far ahead of the company, setting a fine example to his men.

Bhoor Singh, Pay Havildar, No. 8 Company 3d Seikh Infantry.—Was with left skirmishers on 15th instant, and under a heavy fire carried to the rear a wounded naick of his company, who was dangerously hurt; and then immediately returned, when he was himself severely wounded, showing a most gallant and praiseworthy spirit.

Utter Singh, Private, No. 8 Company 3d Seikh Infantry.—When charging down the hill on 15th instant, attacked two of the enemy, and, although disabled by the loss of three fingers from a tulwar-cut, succeeded in killing one and defending himself against the second till assistance came up.

Jemadar Ruttun Sing, No. 2 Company 5th Goorkhas.—Most forward in every charge on the 15th instant; in the last of which he succoured a wounded sepoy, killing the latter's opponent, but himself receiving a wound. This native officer also distinguished himself conspicuously on a previous occasion, and is always to be seen where the fight is thickest. Witness: Lieutenant Codrington, 5th Goorkhas.

Sepoy Kullian Sing, No. 2 Company 5th Goorkhas.—During the charge down the hill on the 15th instant, rushed promptly forward to intercept one of the enemy, who was advancing sword in hand upon Lieutenant Codrington, and killed his opponent with his bayonet, receiving himself a cut on the head. Witness: Lieutenant Codrington, 5th Goorkhas.

Sepoy Bagh Sing, No. 4 Company 5th Goorkhas.—On the 15th instant, when charging down the hill, was in front of all, and advanced to attack one of the enemy with his bayonet, but was severely wounded by a long spear. This man was only enlisted a short time ago on account of his gallantry, having accompanied the corps as a volunteer, and being always to the front where fighting was going on.

(signed) *A. Wilde*, Lieutenant-Colonel,
Commanding Second Brigade.

RETURN of Casualties in Left Column during the Operations of the 15th and 16th instant.

Camp, Umbeyla Village, 18 December 1863.

Date.	CORPS.	KILLED.					WOUNDED.					REMARKS.
		European Officers.	Native Officers.	Non-commissioned Officers.	Drummers and Buglers.	Rank and File.	European Officers.	Native Officers.	Non-commissioned Officers.	Drummers and Buglers.	Rank and File.	
15th	Peshawur Mountain Train.	–	–	–	–	–	–	–	–	–	–	
	101st Royal Bengal Fusiliers.	–	–	–	1	–	1	–	–	–	10	
	Corps of Guides - -	–	–	–	–	–	–	2	2	–	6	
	3d Seikh Infantry -	–	–	–	–	–	–	1	1	1	16	Lieutenant Riggs, 101st Royal Bengal Fusiliers, slightly wounded.
	5th Goorkha Regiment -	–	–	–	–	3	–	2	–	–	7	
	Sappers and Miners (5th Company).	–	–	–	–	–	–	–	–	–	1	
16th	Peshawur Mountain Train.	–	–	–	–	–	–	–	–	–	–	
	101st Royal Bengal Fusiliers.	–	–	–	–	–	–	–	–	–	–	
	Corps of Guides - -	–	–	–	–	–	–	–	–	–	1	
	3d Seikh Infantry -	–	–	–	–	–	–	–	–	–	1	*N.B.*—No casualties among mules.
	5th Goorkha Regiment -	–	–	–	–	–	–	–	–	–	–	
	Sappers and Miners (5th Company).	–	–	–	–	–	–	–	–	–	–	
	TOTAL - - -	–	–	–	1	3	1	5	3	1	42	

(signed) *C. W. R. Chester*, Captain, Major of Brigade.

(signed) *A. Wilde*, Lieutenant Colonel, Commanding Second Brigade.

No. 5.

MEMORANDUM.

THE Bonair Jirgah having unreservedly submitted to the Government and consented to carry out the following requirements:—

I. To dismiss the army of all kinds on the Bonair Pass.

II. To send a force to destroy Mulkah completely.

III. To expel the Hindostanees from the Bonair, Chumlah, and Amazai lands.

IV. To give as hostages the whole of their chief men till the above requirements are fully carried out.

The first article of agreement is already accomplished. A force of about 2,000 Bonair men is now ready at Muskipore to accomplish the second and third.

The hostages are now with me.

Under the above circumstances, I consider it would be advisable that some British officers should accompany the Bonair contingent, in order that we may see the destruction of Mulkah, and obtain good information regarding the country.

If the Major General consents to furnish Colonel R. G. Taylor, C.B., with the regiment of Guides as an escort, I propose requesting him to accompany the contingent as political officer; and should the Major General deem it desirable to send other officers with him, I trust he will instruct them to abide entirely by Colonel Taylor's wishes regarding the places they visit, &c.

I propose that they should encamp to-night at Kooriah, and proceed to-morrow to Mulkah, returning as quickly as possible by the same route.

Two of the chief men, Zydoolah Khan and Ahmed Khan, will accompany Colonel Taylor; the rest of the hostages will remain with me.

All these hostages will be entirely at our disposal in event of any breach of faith.

(signed) *H. R. James*, Major, Commissioner.

Camp near Umbeyla,
19 December 1863.

The Jirgah have unreservedly consented that the officers and escort should accompany their force.

No. 6.

From Major *H. R. James*, C.B., Commissioner of Derajat, to Major General Commanding the Field Force; dated Camp, Umbeyla Pass, 21 December 1863.

You are already aware that the result of your successes on the 15th and 16th instant has been the entire submission of the Bonairwals and the dispersion of the powerful confederacy of tribes which was in our front.

Ghuzan Khan of Dheer, Fyztullub Khan of Bajour, Sohbut Khan and Sherdil Khan of Swat, with others of minor note, fled with their followers as soon as this force was in possession of Umbeyla, leaving the Akhoond, in whose cause they had ostensibly come, to make the best of his way home by himself.

The Mulkah party is now proceeding without the slightest impediment to their destination, received and supplied with cordiality by the villages of the country, and joined by the chiefs of the Amazai, in whose lands Mulkah is situated.

It will be my duty, on the completion of these operations, more fully to draw the attention of Government to their political results; but the above will suffice to show you how very favourable they have been, and how completely we have asserted our power before the largest, bravest, and most formidable coalition we have ever been called on to meet in the Trans-Indus territories.

* * * * * * * *

No. 7.

Memorandum.

On the 19th instant, the Bonair contingent having entered the Chumla Valley, Colonel Taylor proceeded with his escort to Kooriah, nine miles.

The weather was very bad, and heavy rain fell; but both the officers and the men were lodged in the houses of the village, and all necessaries, in the shape of grass, grain, &c., liberally supplied.

On the 20th the party remained at Kooriah in consequence of the rain.

On the 21st they proceeded onwards, and it became apparent that the Bonair chiefs intended to effect the destruction of Mulkah by moral more than by physical force, inasmuch as the greater portion of the contingent remained in the Chumla Valley.

On entering the Amazai lands, the men of that tribe appeared on the hills, and presented an appearance of opposition which, to those unacquainted with the real position of affairs, must have seemed very formidable.

It was a moment requiring the exhibition of great tact and firmness, but Colonel Taylor was supported by the evident frankness and determination of the Bonair chiefs to carry out their agreements.

All opposition was overcome by the latter, and the Amazai chiefs, joining the party as allies, proceeded with them to Mulkah, where they arrived on the afternoon of the 21st.

Colonel Taylor describes Mulkah as a settlement of considerable size, occupying a broad spur of the main Mahabun Ridge. The buildings were of a remarkably substantial character, the chief moulvie's house and hall of audience, with large barracks and stabling for the troops, and a powder manufactory, forming prominent objects. There was no regular surrounding rampart, but on three sides the outer walls of the houses (which were in tiers and barracks) were connected, and formed a continuous wall with posterns; the fourth side was enclosed by a natural eminence.

The party was quartered in the place during the night, and early in the morning the work of destruction commenced.

An attempt was made by the Amazai to have a portion of the place spared, on the ground of its belonging to men of their tribe and not to the Hindoostanees; but this was judiciously overruled by Colonel Taylor, and the whole mass of building was accordingly soon in flames and completely destroyed.

The party returned to Kooriah that evening, and on the following day arrived in camp on the Umbeyla Pass, not a shot having been fired at them during their progress.

(signed) *H. R. James*,
Commissioner.

No. 8.

Field Force Order, Camp, Umbeyla Pass, dated 23 December 1863.

The operations which commenced two months ago, under Brigadier General Sir Neville Chamberlain, K.C.B., have been brought to a victorious conclusion. The enemy has been completely beaten in the open field, and has acknowledged his defeat by unconditional submission and unhesitating acceptance of the terms imposed on him by Her Majesty's Commissioner.

He

He has himself, at our dictation, levelled Mulkah with the ground—the mountain stronghold of the Hindostanee fanatics, which it was the primary object of the expedition to destroy.

The Major General congratulates the force under his command on the brilliant termination of the campaign. He desires to convey his full appreciation of the gallantry and devotion of the troops, European and Native; and he is anxious to assure them that he feels, and feels truly, that any credit which may be awarded to himself will be owing to their exertions.

Major General Garvock has been directed by the Commander in Chief to express to both officers and men his Excellency's entire approbation of their endurance of hardships, and of their good and gallant conduct since the occupation of the Pass of Umbeyla, and the commencement of those operations which have now been crowned with success by the final defeat of the enemy at Lalloo and Umbeyla.

The Major General cannot close this order without offering his sincere thanks to Brigadiers Turner and Wilde, officers commanding corps, and heads of departments, for the assistance they have one and all afforded him, and for which he is so much indebted.

This order will be read at the head of every corps belonging to the field force.

(signed) *T. Wright*, Major,
Assistant Adjutant General.

No. 9.

EUSUFZYE FIELD FORCE.

NOMINAL RETURN of Officers Killed and Wounded during the Operations by the above Force, on the 15th and 16th December 1663.

Camp, Umbeyla Pass, 18 December 1863.

Regiments.	Rank and Name.	Killed.	Wounded.					Remarks.
			Mortally.	Dangerously.	Severely.	Slightly.	Date.	
H. M.'s 101st -	Lieutenant C. Riggs - -	–	–	–	–	1	15th Dec.	
23d N. I. -	Captain C. Chamberlain -	–	–	–	–	1	16th „	
„ - -	Lieutenant G. Alexander -	1	–	–	–	–	16th „	
„ - -	Lieutenant C. D. Nott -	–	–	–	1	–	16th „	
32d N. I. -	Major Trevor Wheler -	–	–	–	–	1	16th „	
„ - -	Lieutenant F. H. Marsh -	–	–	–	–	1	16th „	
4th Goorkhas -	Lieutenant J. K. M'Causland	–	–	–	–	1	15th „	
	TOTAL - - -	1	–	–	1	5		

(signed) *T. Wright*, Major,
Assistant Adjutant General.

(signed) *John Garvock*, Major General,
Commanding Eusufzye Field Force.

Eusufzye Field Force.

Numerical Return of Killed and Wounded in the above Force during the Operations on the 15th and 16th December 1863.

Camp Umbeyla Pass, 18 December 1863.

Corps.	Killed.	Wounded.				Remarks.
		Mortally.	Dangerously.	Severely.	Slightly.	Total.	
Her Majesty's 101st R. B. Fusiliers	1	–	1	6	4	12	
Guide Infantry	–	–	2	7	2	11	
3d Seikh Infantry	–	1	1	17	2	21	
5th Goorkha Regiment	3	–	–	4	5	12	
Hazara Mountain Battery	–	–	–	–	1	1	
Her Majesty's 7th Royal Fusiliers	–	–	–	1	2	3	
5th Company Bengal Sappers and Miners.	–	–	–	–	1	1	
3d Punjab Infantry	1	–	–	–	3	4	
23d Native Infantry	7	–	12	22	12	53	
32d Native Infantry	3	–	3	14	4	24	
1st Punjab Infantry	9	–	–	11	4	24	
4th Goorkha Regiment	–	–	–	1	5	6	
Total	24	1	19	83	45	172	

(signed) *T. Wright*, Major,
Assistant Adjutant General.

(signed) *John Garvock*, Major General,
Commanding Eusufzye Field Force.

General Figured Abstract of Casualties in the Eusufzye Field Force, from the date of its entering the Umbeyla Pass up to the 16th December 1863.

Dated Adjutant General's Office, Head Quarters, Camp, Rawul Pindee, 14 January 1864.

Corps.	Killed.					Wounded.					Total Killed and Wounded.				
	European.		Native.			European.		Native.			European.		Native.		
	Officers.	Men.	Officers.	Men.	Total.	Officers.	Men.	Officers.	Men.	Total.	Officers.	Men.	Officers.	Men.	Grand Total.
General Staff	–	–	–	–	–	1	–	–	–	1	1	–	–	–	1
Royal Engineers	–	–	–	–	–	1	–	–	–	1	1	–	–	–	1
Survey Department	–	–	–	–	–	1	–	–	–	1	1	–	–	–	1
Orderly Officers	–	–	–	–	–	1	–	–	–	1	1	–	–	–	1
½ C. Batty. 19th Brig. R. A.	–	–	–	–	–	–	3	–	2	5	–	3	–	2	5
3d Punjab Battery	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Hazara Mountain Battery	1	–	–	–	1	–	–	–	7	7	1	–	–	7	8
Peshawur ditto	–	–	–	3	3	–	–	–	9	9	–	–	–	12	12
11th Bengal Cavalry	–	–	–	1	1	–	–	1	–	1	–	–	1	1	2
7th Fusiliers	–	–	–	–	–	–	3	–	–	3	–	3	–	–	3
71st Foot	3	15	–	–	18	1	49	–	–	50	4	64	–	–	68
79th ditto	2	–	–	–	2	–	–	–	–	–	2	–	–	–	2
101st ditto	3	19	–	–	22	2	63	–	–	65	5	82	–	–	87
1st Punjab Infantry	1	–	1	41	43	3	–	3	91	97	4	–	4	132	140
2d Seikh Infantry	1	–	–	–	1	–	–	–	–	–	1	–	–	–	1
3d ditto	1	–	–	4	5	–	–	3	35	38	1	–	3	39	43
3d Punjab Infantry	–	–	–	1	1	–	–	–	3	3	–	–	–	4	4
5th ditto	–	–	–	6	6	1	–	2	14	17	1	–	2	20	23
14th Native Infantry	1	–	1	45	47	1	–	1	69	71	2	–	2	114	118
20th Punjab Infantry	1	–	1	30	32	–	–	2	99	102	2	–	3	129	134
23d Punjab Infantry (Pioneers)	1	–	–	6	7	2	–	4	40	46	3	–	4	46	53
32d ditto ditto	–	–	–	3	3	3	–	1	21	25	3	–	1	24	28
Sappers and Miners	–	–	–	–	–	–	–	–	1	1	–	–	–	1	1
4th Goorkhas	–	–	–	5	5	1	–	–	9	10	1	–	–	14	15
5th ditto	–	–	1	27	28	2	–	2	44	48	2	–	3	71	76
Guide Corps (Cavalry)	–	–	–	–	–	–	–	–	2	2	–	–	–	2	2
Guide Corps (Infantry)	–	–	–	2	2	1	–	2	14	17	1	–	2	16	19
Grand Total	15	34	4	174	227	21	118	21	460	620	36	152	25	634	847

E. Haythorne, Colonel,
Adjutant General.

EUSUFZYE FIELD FORCE.

NOMINAL ROLL of Officers Killed in Action since 19th October 1863.

Camp, Umbeyla Pass, 12 December 1863.

No.	Rank and Names.	Corps.	Date.	Remarks.
1	Lieutenant Gillies	Haz. Mn. Batty.	22 Oct. 1863	These are all included in the General Nominal Roll of Casualties.
1	„ Clifford	3d P. N. I.	26 „ „	
1	„ Richmond	20th „	26 „ „	
1	Ensign C. B. Murray	71st H. L. I.	6 Nov. „	
5	Lieutenant Dougall	79th Highlanders	6 „ „	
5	Major G. W. Harding	2nd Seikh Infantry	6 „ „	
5	Lieutenant J. P. Davidson	1st P. N. I.	13 „ „	
5	Captain C. F. Smith	71st H. L. Infantry	18 „ „	
5	Lieutenant Jones	79th Highlanders	18 „ „	
10	„ H. H. Chapman	101st R. B. F.	18 „ „	
10	„ W. T. Mosley	14th N. I.	18 „ „	
10	Captain R. B. Aldridge	71st H. L. I.	19 „ „	
10	Ensign A. R. Saunderson	101st R. B. F.	20 „ „	
14	Assistant Surgeon W. Pile	101st „	20 „ „	

(signed) *J. Garvock*, Major General,
Commanding Eusufzye Field Force.

(signed) *T. Wright*, Major,
Asst. Adjt. General.

EUSUFZYE FIELD FORCE.

NOMINAL ROLL of Officers Wounded since 19th October 1863.

Camp, Umbeyla Pass, 12 December 1863.

No.	Rank and Names.	Corps.	Date.	Remarks.
1	Lieutenant F. Drake	32d N. I.	26 Oct. 1863	These are included in the General Nominal Roll of Casualties.
1	„ Barron	Survey Department	26 „ „	
1	Major C. P. Keyes	1st P. N. I.	30 „ „	
1	Lieutenant H. W. Pitcher	1st „	30 „ „	
5	„ W. Battye	Guide Infantry	6 Nov. „	
5	„ J. S. Oliphant	5th Goorkhas	6 „ „	
5	„ H. W. Pitcher	1st P. N. I.	13 „ „	
5	„ A. D. C. Inglis	14th N. I.	18 „ „	
5	Ensign C. M. Stockley	101st R. B. F.	18 „ „	
10	Colonel W. Hope, C.B.	71st H. L. I.	19 „ „	
10	Major J. P. W. Campbell	5th Goorkhas	20 „ „	
10	Lieut. Colonel J. L. Vaughan	5th P. N. I.	20 „ „	
10	Brigade General Sir N. Chamberlain, K.C.B.	General Staff	20 „ „	
14	Lieutenant Anderson	Orderly Officer	20 „ „	
15	„ Brown	Royal Engineers	22 „ „	

(signed) *J. Garvock*, Major General,
Commanding Eusufzye Field Force.

(signed) *T. Wright*, Major,
Asst. Adjt. General.

EUSUFZYE FIELD FORCE.

NOMINAL ROLL of Officers Killed and Wounded during the operations by the above Force on the 15th and 16th December 1863.

Camp, Umbeyla Pass, 23 December 1863.

Regiments.	Rank and Names.	Killed.	Wounded.				Date.	Remarks.
			Mortally.	Dangerously.	Severely.	Slightly.		
H. M.'s 101st -	Lieutenant C. Riggs -	–	–	–	–	1	15 Dec. 1863.	
23d N. I. -	Captain C. Chamberlain	–	–	–	–	1	16 „ „	
„ „ -	Lieutenant G. Alexander	1	–	–	–	–	16 „ „	
„ „ -	„ C. D. Nott -	–	–	–	1	–	16 „ „	
32d N. I. -	Major Trevor Wheler -	–	–	–	–	1	16 „ „	
„ „ -	Lieutenant F. H. Marsh	–	–	–	–	1	16 „ „	
4th Goorkha -	„ J. K. McCausland.	–	–	–	–	1	15 „ „	
	TOTAL - - -	1	–	–	1	5		

(signed) *J. Garvock*, Major-General,
Commanding Eusufyze Field Force.

Examined,
(signed) *T. Wright*, Major,
Asst. Adjt. General.

From Colonel *D. M. Stewart*, Deputy Adjutant General, to Secretary to Government of India, Military Department—(No. 69A, dated Head Quarters, Camp Peshawur, 17 January 1864).

I HAVE the honour to enclose, for the information of his Excellency the Viceroy in Council, Despatches from Brigadier General Sir Neville Chamberlain, K. C. B., late commanding the Eusufzye Field Force, and from Major General Garvock, who succeeded to the command of the force when it was relinquished by Sir N. Chamberlain on account of his wound.

2. In order that the Government may correctly understand the operations which have been carried out under these general officers, the Commander in Chief directs me to submit the following explanatory details.

3. Sir N. Chamberlain was prevented from descending with his force into the Chumla Valley, in furtherance of the objects of the expedition, by causes with which the Government are already acquainted.

4. The position finally occupied by the Brigadier General in the Umbeyla Pass, six or seven miles from the plains of Eusufzye, was a strategical and very strong one. It cut in two the enemy's line of mountain defences, and forced him to attack from lower ground a naturally strong position, which entirely commanded his advance, and which General Chamberlain had rendered still stronger by entrenchments. To these advantages must be added open communications with the base in the plains of Eusufzye.

5. The position was, however, subject to the disadvantages arising from the very difficult nature of the country, abounding, as it does, with deep ravines, covered with boulders and large masses of rock, interspersed with trees and brushwood, all favouring the peculiar tactics of the enemy in their vehement attacks on the entrenchments.

6. Up

6. Up to the 20th November the enemy had made frequent attacks, all of which were successfully repelled by Sir N. Chamberlain, and very great credit is due to the Brigadier General and his troops for the resolution with which they held their ground.

7. As frequently happens in mountain warfare, picquets were taken and retaken, but success invariably remained with Brigadier General Chamberlain and his gallant force.

8. His Excellency regrets to say that the casualties were numerous; they were, in a great measure, caused by the peculiarly difficult nature of the ground above described, which favoured the bold and unexpected attacks of the mountaineers, who were enabled to collect unseen, and to remain under cover, till prepared for their sudden rushes on the defences.

9. It would also appear that tribes fought under one of the most powerful of influences, the spirit of religious fanaticism, fanned and excited to the utmost by the Akhoond of Swat.

10. Although General Chamberlain, for the reasons stated by him, acted solely on the defensive, the determined resolution with which he held his position, and repulsed all the daring attacks of the enemy; the great losses sustained by them, including some of their best leaders, and most forward fighting men, losses not easily replaced amongst inorganized combatants; the exhaustion of their resources; and the continued march of strong British reinforcements of all arms towards the scene of operations, doubtless induced the tribes to desist from their attacks between the 20th November and the 15th December, during which time there was nothing but an occasional interchange of shots between the outposts.

11. The enemy acknowledge up to the 20th November the loss of a thousand killed; but there can be little doubt that it exceeded this number, a conclusion which is justified by the number of dead actually left in front of the position, and the fact that in the obstinacy of their attacks they often remained exposed to the close and cross-fire of artillery.

12. These losses produced much discouragement amongst the confederate tribes, and created a desire amongst many of them to enter into negotiations for peace with the British Commissioner, Major James.

13. These negotiations were carried on for some time, but the result proved that, although the tribes may have been willing to withdraw from the contest, they were not, with the exception, as it would appear, of the Bonairs, the most powerful of all the tribes, inclined to do so on the British terms.

14. On the 29th November, Brigadier General Sir N. Chamberlain, with the sanction of Government, relinquished into the hands of Major General Garvock the command of the Eusufzye Field Force, and on the 8th December the Commander in Chief had the honour to report to the Government of India, from Lahore, that the negotiations of the Commissioner with the tribes had failed.

15. General Garvock, with laudable promptitude, after having been reinforced by the 1st Battalion 7th Fusiliers, 93d Highlanders, 23d Punjab Pioneers, and the 3d Seikh Infantry, took measures for acting on the offensive, but on the 10th the chiefs of the Bonair tribe made their appearance in the British camp and sued for peace. The negotiations were again fruitless; but the Bonairwals, on account of the causes already stated, seceded, it is believed, with a few exceptions, from the hostile tribes, who had meanwhile received considerable reinforcements from Dhêr and Bajour.

16. On the 15th December, General Garvock, as stated in his report, assumed the offensive, and with great vigour successfully attacked the enemy at Lalloo, about two miles and a half from the right flank of his position. This important success was gained at a trifling loss to the British force.

17. Whilst General Garvock was attacking the enemy at Lalloo, the position at the Umbeyla Pass was assailed by a portion of the tribes, who were, however, repulsed with loss by Majors Keyes and Brownlow, commanding, respectively, the 1st Punjab Infantry and the 20th Native Infantry, two officers of whose admirable

admirable conduct throughout the operations it is impossible to speak in too high terms.

18. Umbeyla was taken without opposition, and burnt on the following day; but in a subsequent successful affair under Brigadier Turner, it will be seen one British officer was killed and four wounded.

19. Sir H. Rose directs me to bring to the special notice of the Government of India Brigadier General Sir N. Chamberlain, K.C.B., and Major General Garvock, who have, respectively, commanded the Eusufzye Field Force, and to recommend that they may receive a suitable reward for the very important services which they have rendered to the State.

20. His Excellency likewise desires me to bring under the notice of Government the very good service performed by Brigadiers Turner and Wilde, commanding, respectively, the 1st and 2d Brigades. The latter officer served throughout the whole of the operations, and, after General Chamberlain was wounded, temporarily exercised the command of the force, during which time he earned the Commander in Chief's especial approbation.

21. The Commander in Chief entirely concurs in the encomiums bestowed by Generals Chamberlain and Garvock on the officers and men of the field force at large, for the excellent spirit they displayed from first to last.

22. The duties devolving on the picquets were often prolonged and hard, but the troops, British as well as Native, performed them with a cheerfulness and good feeling characteristic of their high discipline.

23. It is due to military merit and devotion of the highest order, and it may be some consolation to the relatives of the officers in question, that his Excellency should record how nobly three officers of the greatest promise died in action. Lieutenant Richmond, of the 20th Native Infantry, when about to be relieved at the expiration of his tour of duty, prevailed on his commanding officer, because it was a post of danger, to allow him to remain for four successive days in charge of the "Eagle's Nest" picquet, where he was killed by a bullet through his head.

Lieutenant Chapman, of the 101st Royal Bengal Fusiliers, although knowing that he was dying of a mortal wound, bound up the wounds of a brother officer, and sent an important message to the position.

Lieutenant Davidson, of the 1st Punjab Infantry, rather than retire from his post, died, fighting to the last against overwhelming numbers, with a heroism that elicited the admiration of one of the principal chiefs of the Bonair tribe.

24. As regards the officers named for the Victoria Cross, the usual recommendations will be submitted hereafter.

25. So important is the question of supplies in all military operations, that the Commander in Chief would not do justice to the most efficient manner in which they were managed in the Eusufzye Field Force, were his Excellency not to bring to the notice of the Government the excellent services of the Assistant Commissary General, Captain Jenkins. Notwithstanding the difficulties of feeding so large a force in a mountainous country, beyond the limits of our own territory, not only was no complaint ever preferred, but the general officers in command, and the commanding officers of regiments, report that the rations were remarkably good, and that their issue was liberal and uninterrupted throughout.

26. Surgeon W. Simpson, M.D., 71st Highland Light Infantry, and Surgeon W. Munro, M.D., 93rd Highlanders, on different occasions senior medical officers with the British portion of the force; Surgeon Buckle, the senior medical officer with the Native Troops, and the medical officers of the force generally, performed their duty ably and successfully under difficult circumstances.

27. Before concluding this letter, it is due to the Native Troops employed, particularly to the regiments organised since 1857, that the Commander in Chief should submit to the Government of India a practical proof of their discipline and fidelity. Every effort was made by the Akhoond of Swat and the hostile tribes to sever to their cause their co-religionists in the Native Regiments opposed to them; but, with the exception of one young Bonair recruit, their sense of duty and discipline kept them true.

Military Department.—No. 76 of 1864.

General Order by H. E. the Governor General of India in Council.

Fort William, 29 January 1864.

His Excellency the Governor General in Council, in publishing the despatches received from H. E., the Commander-in-Chief, regarding the late operations against the enemy in the Mahabun Mountain and the Chumla Valley, embraces with much satisfaction the opportunity now afforded him of thanking the troops for their services.

The gallantry, fortitude, and endurance which have been displayed throughout the expedition, are worthy of the highest praise, and his Excellency will have much satisfaction in bringing them to the notice of Her Majesty's Government.

The Governor General in Council cordially acknowledges the very distinguished services of Brigadier General Sir N. B. Chamberlain, K.C.B. (whose wound and impaired state of health are much regretted by his Excellency), and of Major General J. Garvock, in successive command of the Eusufzye Field Force.

He also thanks the political officers, Major H. James, C.B., the commissioner of Peshawur, and Colonel Reynell Taylor, C.B., for their valuable services.

While the acknowledgments of the Governor General in Council are due to the whole of the officers, non-commissioned officers, and soldiers, composing the late Eusufzye Field Force, for the excellent spirit they displayed from first to last, he desires especially to commend those who have been prominently brought to notice in the several reports of engagements, and by his Excellency the Commander-in-Chief, more particularly Colonel Turner, C.B., and Lieutenant Colonel Wilde, C.B., in command of brigades; the latter of whom served throughout the operations, and for a time commanded the whole force to the entire satisfaction of the Commander-in-Chief.

The Governor General in Council also desires especially to thank those officers who held the command of corps or batteries, or who performed responsible staff duties, and earned the approbation of the commanders of the force, and of his Excellency the Commander-in-Chief.

The successful exertions of the Commissariat Department under Captain Jenkins, and the services of surgeons Simpson, Munro, and Buckle, and of the medical department generally, are much appreciated by the Governor General in Council.

It will afford the Governor General in Council the highest satisfaction to submit to Her Majesty's Government the names of such British officers, and soldiers, as may be recommended by his Excellency the Commander-in-Chief for distinction or reward. The rewards bestowed by the major-general, commanding the force on Native officers and soldiers in anticipation of sanction, are confirmed by the Government of India.

The Governor General in Council laments the severe loss sustained by the troops in their gallant encounters with a brave and determined foe, and joins with His Excellency the Commander-in-Chief in admiration of the noble spirit of the officers named by His Excellency who died at their posts under circumstances most honourable to their memory.

(signed) *H. W. Norman*, Colonel,
Secretary to the Government of India.

Military.—No. 436.

Sir *Charles Wood* to the Right Honourable the Governor General of India in Council.

Sir, India Office, 23 December 1863.

Para. 1. I have received and considered in Council your Excellency's several Despatches forwarding copies of the instructions that have been issued by the Military Department to the Punjab Government and his Excellency the Commander in Chief, in consequence of operations against the Hindoostanee fanatics at Sittana, and certain neighbouring tribes, having been

determined upon in the Foreign Department, and also forwarding copies of correspondence with his Excellency the Commander-in-Chief upon this subject.

2. The force which you have requested the Commander-in-Chief to collect for the purpose will consist of about 5,000 men, to be composed as follows:—

British Artillery - - - -	3 guns.
Punjab ditto - - - -	10 „
British Infantry - - - -	1,200 men.
Native Infantry of the Line - -	1,200 „
Punjab Infantry - - - -	3,000 „

With a company of Sappers;

and was to assemble at Nowshera, about the 15th October, for immediate action.

3. His Excellency the Commander-in-Chief, having submitted the arrangements which he would propose to make in the formation and equipment of this force, has, in a confidential letter, dated the 26th September, pointed out certain difficulties that he considered might exercise an important influence in the projected operations.

4. These are, the lateness of the season, the extent of preparation required in the collection and equipment of a force of this nature, the difficulty of procuring transport, and the want of information respecting the scene of action; and his Excellency suggested that the present plan, of vigorously blockading the Sittana fanatics and their allies, should be continued during the winter, and that, in the spring, a well organised expedition should take place against them.

5. From the correspondence which accompanied the Governor General's letter, it would seem that little fear need be apprehended, either as to the provision of transport or the equipment of the force by the time appointed.

6. The time allowed for effecting the object of the expedition is short, but I concur with his Lordship in thinking that it was most desirable to obviate, if possible, by prompt and immediate action, the necessity of operations on a large scale at a later period.

7. I observe, with much satisfaction, that his Excellency the Commander-in-Chief has nominated Brigadier-General Sir N. Chamberlain to the command of this force. The known capacity of this officer, his local knowledge, and great experience in mountain warfare, render him peculiarly fitted for the duty, and, should the force be in a condition to move by the time proposed, I trust that the object you have in view, as far as the operations on the right bank of the Indus are concerned, will be effected, even though the approach of winter and falling of the snow may render it impracticable, at present, to deal with the hostile tribes on the left.

8. The proceedings in your Military Department, communicated in these several Despatches, are approved.

I have, &c.
(signed) *Charles Wood.*

Political.—No. 2.

Sir *Charles Wood* to the Right Honourable the Governor General of India in Council.

India Office, 16 January 1864.

Para. 1. I HAVE received the Despatch of the late Viceroy of India, No. 67, of the 4th of October 1863, with the accompanying correspondence, and also the various Despatches and telegrams down to that of the 24th December from Lahore, relating to the operations on the Punjab frontier; and I have considered in Council the contents of these documents, with all the attention which their importance demands.

2. It appears from them, that the band of Hindostanee fanatics, who have so often been the cause of disquiet on the border, and who were driven from Sittana by

by the operations of Sir Sydney Cotton's force in 1858, had, in the course of 1863, again occupied that place.

3. It was reported that they had been engaged in intrigues with the Hussunzyes and other tribes in the vicinity; that, in conjunction with some of them, they had burnt some villages belonging to the Chief of Umb, who is a minor, and under our protection; that they were collecting followers and means of transport, and that "their conduct was marked by determined progressive steps towards hostility."

4. On the 7th of September, a body of them, in concert with some of the Jydoons, crossed our frontier, and approached the camp of the Guide Corps at Topee, but were driven back by a patrol of Irregular Horse. Reports were also rife of a combination against us of various tribes in the neighbourhood, on both banks of the Indus.

5. These proceedings, in the opinion of the Government of India, called for repressive measures, "with a view to the expulsion of the Hindostanee fanatics, the punishment of the committed tribes, the exaction of sufficient guarantees for the future maintenance of peace and good order on our frontier, and a timely prevention of the spread of disturbance over a larger area, by the deterring effect which active and adequate operations might produce at the present juncture."

6. The Government of India considered that these objects would best be met "by one column moving, in the first instance, *viâ* Mungul Thannah and Mulkah, to the Mahabun Mountain, thus cutting off the fanatics from Swât, and possibly destroying their posts on the Burrundoo river, while another column should occupy the attention of the fanatics on the line of the Indus at Sittana."

7. To this extent only were military operations sanctioned by the late Viceroy. A different course, however, was adopted, embracing a more extended range of operations, in execution of which the force under General Chamberlain entered the Umbeylah Pass, the high road to the strong country of Bonair.

8. It is not surprising that an advance in this direction should have excited alarm in the Bonairwals, a warlike and powerful tribe (with whom we had hitherto been on friendly terms), especially as it is stated that the Hindostanee fanatics had circulated the report that "it was the intention of the British Government to annex the whole country as far as Swât." Actuated by this feeling, bodies of Bonairwals attacked our troops with great resolution in the pass.

9. A similar feeling of alarm and suspicion apparently spread with rapidity among the neighbouring tribes. Large numbers of Swâtees, Momunds, Bajouries, and other distant tribes hastened to the aid of the Bonairwals; the Hindoostanee fanatics joined them from the Mahâbun; and, by this combined force, in a series of fierce and well-sustained attacks, the most determined opposition was offered to the further advance of the British troops.

10. By the skill of General Chamberlain, and the gallantry of the troops, these attacks were uniformly repulsed, though not without serious loss; but five thousand of the best soldiers in India, under a well known and distinguished officer, were held in check for several weeks.

11. Further than this, an uneasy feeling appears to have been created in other parts of the trans-Indus territory; apprehensions were entertained of disturbances in other places; it was thought necessary to put in motion large bodies of troops throughout Upper India; and in order to carry out these measures, a very serious and heavy expenditure must have been incurred.

12. At this juncture, Major James arrived in camp, and I learn from the latest telegram, that negotiations having been opened by him with the Bonairwals (who were probably more disposed to treat, from the heavy losses they had sustained), they consented to all the terms required, and actually sent a contingent with the Guide Corps, to destroy the stronghold of the Hindostanee fanatics at Mulkah. The original object of the expedition being thus effected, the British troops seem to be on their return to our own territory.

13. In congratulating your Excellency's Government on the termination of hostilities, which at one time threatened to assume a political importance alto-

gether incommensurate with the original object of the expedition, I have to express the high sense entertained by Her Majesty's Government of the skill, gallantry, and endurance displayed by General Chamberlain, and the officers and troops under his command; and also of the tact and ability evinced by Major James in conducting the negotiations into which he entered with the Bonairwals to a successful issue.

14. I will not, however, conceal from your Excellency that Her Majesty's Government have seen with deep anxiety the recent state of affairs on the Punjab frontier, involving, at one time, the prospect of military operations on a much more extended scale, and of a lavish expenditure of the public resources.

15. It would have been the source of the greatest regret to Her Majesty's Government, if, in the midst of a career of internal improvement, such as has not been witnessed at any former period, when all the exertions of the Government of India and of the subordinate Governments were so wisely and properly directed to developing the resources of the country, and by a well considered expenditure improving alike the condition of the people, the receipts of the revenue, and the security of the Government, it should have been found requisite to interrupt this tranquil progress by entering on a costly and hazardous warfare, in which the most entire success would afford no adequate compensation for its attendant evils.

16. It is one of the conditions of our advanced frontier,—bordering on mountain districts inhabited by needy and warlike tribes, proud of their independence, and from the earliest ages prone to habits of rapine and plunder,—that, from time to time, outrages should be committed upon our subjects and territories. The usual evils of this state of affairs are aggravated in the district which has been the scene of these operations, by the presence of a body of Hindostanee and other Mahomedan fanatics, animated by a spirit of the most violent religious enthusiasm, and by hatred of the British rule.

17. Her Majesty's Government fully recognise the duty of making every exertion to check these outrages, and of affording every protection to the people under British sway. Individuals or tribes who injure our subjects, or make inroads on our districts, must be summarily and severely punished. But, for this purpose, it is not necessary to undertake distant and costly expeditions into mountain fastnesses, difficult of access, deficient in supplies, and offering every sort of obstacle to the advance of disciplined troops.

18. In the present instance, the operations prescribed by Lord Elgin were quite within our own power, as had been shown in Sir S. Cotton's expedition; but the wider scale of operations which was subsequently adopted brought us into hostile contact with powerful and hitherto not unfriendly tribes, and created a much more extended combination against us than that the apprehension of which was one of the grounds of the expedition. Instead of our opponents being only from the tribes immediately on our frontier, the Swâtees and more distant Bajouries and Momunds were brought into the field against us; and a feeling of strong religious fanaticism was excited, which is avowedly one of the most dangerous elements in any warfare in India.

19. Although our ability to penetrate the hills, and to engage successfully in hostile operations with these warlike tribes on their own ground, has been abundantly demonstrated, nevertheless, in such operations, we are placed at every disadvantage. The natives of the country, used to mountain warfare, and thoroughly acquainted with the localities, are able to advance or retreat at their pleasure, and to paralyse for a time the movements of disciplined soldiers.

20. In the plains, on the contrary, where our cavalry and guns can be brought into action, we are perfectly irresistible. The tribes, as a general rule, are badly armed, and unprovided with munitions of war. They have little coherence amongst themselves, except on special occasions, for a brief period, in defence of their own fastnesses, or under the influence of strong fanatical excitement. It is very difficult for them to assemble in any considerable numbers beyond their own frontier. No force that they could collect, and bring down from the mountains, could stand against British troops with cavalry and artillery;

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and it would be an easy matter to inflict heavy loss upon them, and drive them back to the hills.

21. There are, no doubt, cases in which it may be requisite that lightly-equipped and well-selected detachments should penetrate for short distances into the hills, and destroy the towers, rendezvous, and places of assembly of the offending tribes. Her Majesty's Government, however, desire to impress upon your Excellency that an aggressive policy is wholly opposed to their wishes, as being contrary to the true interests of the State. If successful, it can only be for a time; we cannot hold these mountain districts, except at a ruinous cost of valuable lives and money. When we withdraw, the inhabitants are sure to resume their former habits, doubly embittered against us by the recollection of the injuries which they have sustained at our hands.

22. Our true course ought to be, not to interfere in their internal concerns, but to cultivate friendly relations with them, and to endeavour to convince them, by our forbearance and kindly conduct, that their wisest plan is to be on good terms with us, in order that they may derive those advantages from intercourse with us which are sure to follow from the interchange of commodities and mutual benefits.

23. From the nature and poverty of their country, and from their wild habits, these mountaineers are dependent, to a great extent, upon our districts for articles of primary necessity to their comfort and enjoyment of life. It is always in our power to inflict the greatest inconvenience upon an offending tribe, by debarring them from crossing into our territories and dealing with our subjects. Recourse has been had to this species of blockade, on several occasions, with excellent effect. In any such measure, care should taken that our course of action is based on just and definite grounds, and our motives and objects should be clearly explained, not only to the tribe whom we desire to coerce, but also to all the surrounding tribes.

24. Advantage should be taken of every opportunity to conciliate the chiefs of these tribes, and to create and improve a friendly feeling in the minds of those hereditary leaders, whether religious or otherwise, who, in semi-barbarous communities, usually exercise so great an influence over the masses of their followers, and whose own conduct, when not influenced by caprice, is generally determined by self-interest.

25. It is of paramount importance that these chiefs should be made to understand that our policy is peace, and that, while resolute to repel and chastise any aggressions upon our own territories, we do not seek to extend our frontier, nor do we desire to interfere with our neighbours. Her Majesty's Government earnestly trust that your Excellency will peremptorily discourage any attempt to depart from this policy, on which alone they are convinced that the prosperity and progress of Her Majesty's dominions in India can be based.

26. At the present moment, when the tribes have felt our power, and peace has been restored through the skill and valour of British troops, Her Majesty's Government consider that it is a favourable opportunity for your Excellency to impress the spirit of these general instructions upon the Punjab Government, and to direct them to use their best endeavours to disabuse the minds of the tribes with whom we have been in collision, like the Swâtees, Bonairwals, and others, of any groundless apprehensions as to our intentions, and thus to allay the excitement which recent events must have caused on the Punjab frontier, and to establish a state of friendly relations with the border chiefs and tribes, which may be the best security against the recurrence of scenes of bloodshed and hostility.

I have, &c.
(signed) *C. Wood.*

Foreign Department.—No. 40.

Government of India, to Sir *C. Wood*, dated 8 March 1864.

Sir,

We have the honour to forward, for the information of Her Majesty's Government, copy of a letter from the Commissioner of the Peshawur Division, to the address of the Secretary to Government, Punjab, submitting a narrative* by Colonel Taylor, C.B., of his proceedings at Mulkah: a sketch of the place is also forwarded.

* *See* page 185.

We have, &c.

(signed) *J. Lawrence.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Foreign Department, Political.—No. 41.

The Government of India to the Right Honourable Sir *Charles Wood*, Bart., M.P. and G.C.B., Her Majesty's Secretary of State for India.

Sir, Fort William, 9 March 1864.

A few days prior to the receipt of your Despatch, No. 2, of the 16th January, we were first placed in possession of the Report of the Punjab Government upon the expedition recently undertaken, at its instance, against the Hindostanee fanatical Mahomedans of Sittana: for obvious reasons we felt it advisable to await the receipt of this Report before expressing a deliberate opinion upon the policy of the operations on the Indus frontier. The death of the Viceroy under whose instructions the expedition was undertaken, the additional responsibility which this lamented event threw upon the Lieutenant-Governor of the Punjab, and the subsequent transfer of much responsibility to His Excellency the Commander-in-Chief, seemed to render it imperatively necessary that we should suspend any formal exposition of our views until such time as the Government more especially charged with the direct management of affairs on the Peshawur frontier should have submitted its own Report.

2. But your Despatch of the 16th January has anticipated the necessity for any such review on our part, the main utility of which review would have been to aid Her Majesty's Government in arriving at a conclusion upon the policy and character of the expedition. In the Despatch under acknowledgment, Her Majesty's Government review the causes which led to the employment of coercive measures; and whilst commending the skill and conduct of the General and his troops in the execution of these measures, and the tact and ability which re-established friendly relations with the Bonair tribe, Her Majesty's Government has accompanied this favourable notice of the services of the military and political officers of Government with instructions as to the nature of the policy which it is desired should hereafter be pursued on the frontier: under these circumstances, much comment on the Report of the Punjab Government would now seem out of place. In forwarding, therefore, the Report and its Appendices—all which will be read with great interest—it is our intention to abstain from entering upon an analysis of the opinions and criticisms which they contain. We adopt this course the more readily as, from the nature of the points discussed, it is not easy to draw a distinct line of demarcation between the military and the political bearings of the various subjects, each one of which, from the want of accurate data, opens up an interminable field of controversy; we shall content ourselves, therefore, with submitting the Report and its Appendices with only a few general remarks on the part of the Government of India.

3. To ensure a just apprehension of the moderate aim and of the circumscribed character of the original instructions issued by Lord Elgin, and to correct any misconception as to the extent and degree of departure which occurred in the course of carrying into effect the orders of the late Viceroy, it may be advisable to note one simple fact. From Torbela, on the left bank of the Indus, to the *débouche* of the Burrendo, on the Indus, is about 30 miles in a straight line; from the above river junction to Umbeylah and its Pass is also about 30 miles in a straight line; so that a square of 30 miles the side includes the whole area to which military operations were to be confined. When it is added that it is only on the northern side that foreign territory touches the compromised tract, there will be a further security against any misconception of the position or distance of the theatre of action. It is not intended by these remarks to make light of the formidable difficulties which the mountainous and rugged character of the district offers to the march of columns of regular troops; these difficulties are doubtless very correctly set forth by the Report and its Appendices: but in both, and more especially in the Appendices, as there is a free use of military terms ordinarily applied to operations on a much larger scale, there is some risk of an exaggerated impression arising as to the size and distance from our frontier of the Muhabun tract, which in reality indents and is embraced by our territory.

4. It will be observed that, in the 22d paragraph of the Report, the Lieutenant-Governor expresses his opinion that the operations sanctioned against the fanatics were just and necessary, and that it would have endangered our future position on the frontier had we tamely submitted to the return of the fanatics to Sittana, after having for so many years insisted on their abandoning it, or failed to avail ourselves of the opportunity afforded by their conduct to effect their punishment; and that he believes it is a point on which there is no difference of opinion amongst officers acquainted with the Mahomedan frontier. You are aware that in 1862, when the numbers of the Hindostanee fanatics had increased and acts of aggression had been committed, the Lieutenant-Governor recommended that an expedition should be undertaken against Mulkah, but that the late Viceroy in Council was of opinion that sufficient cause had not then been shown for embarking on coercive measures. From your Despatch, No. 18, of the 7th April 1862, it appeared, however, that Her Majesty's Government were disposed to agree with the recommendation of the Lieutenant-Governor and with the opinion of the Commissioner of Peshawur, that it would eventually be necessary to expel the offenders by force of arms, and that they would be a lasting source of trouble so long as they were permitted to remain in the neighbourhood. The late Viceroy was known to be exceedingly averse to entering upon military operations in the vicinity of allied and excitable tribes, and at a time when the position of affairs in Affghanistan rendered it expedient to maintain, if possible, tranquillity on the British frontier; and we are persuaded that nothing but the conviction of the sound policy and the necessity of taking measures to expel the fanatics, overcame at last his reluctance to have recourse to the use of force.

5. The force deemed necessary by the Punjab Government was, when the expedition was decided, at once sanctioned; and you will remark that no hill expedition from 1850 to the present time has been of equal strength, and yet it had subsequently to be considerably reinforced before it assumed the offensive. Without entering into the question whether adherence to the route suggested by the Government of India would have avoided collision with the Bonair tribe, and without combating the opinion of the Lieutenant Governor that the advantages promised by the selection of the Umbeylah Pass were real and substantial and in the end fully attained, we are of opinion that the Lieutenant Governor has himself pointed out, in the 75th and 116th paragraphs of the Report, one of the proximate causes why the officer in command of so large and well-equipped a force was unable to carry out, with the rapidity contemplated in the original instructions, the objects of the expedition, and found it necessary to remain at the head of the Umbeylah Pass until joined by further reinforcements: it was the delay at the head of the Pass which converted the expedition into a standing menace to Bonair, and thus incited the opposition of that and of the other tribes which, hour by hour, joined the coalition.

In making these remarks, we think it but just to the reputation of that dis-

tinguished officer Sir Neville Chamberlain, who commanded the troops, to place on record our opinion that he evinced, under the circumstances, a sound judgment in halting at the top of the Umbeylah Pass. The services of this officer and of General Garvock, and those of Major James and Lieutenant Colonel R. Taylor, entitle them to our hearty acknowledgments, and we trust that they will be duly recognised by Her Majesty's Government.

6. This delay, however necessary, gave time for the fanatics to fall back from the right bank of the Indus to the Chumla Valley, and to place themselves in close connexion with the Bonair and other tribes, which, whatever their previous relations with the Hindostanee fanatics may have been, then evinced no reluctance to combine with that body and to raise the cry of a religious war.

7. Although the expedition took both more time and means than had been at first contemplated as necessary, and the losses incurred in men and officers have been severe and greatly to be regretted, yet the general results of the expedition have proved satisfactory: the fanatic Hindostanees are reduced to half their number, their headquarters at Mulkah have been burnt, their posts on the Indus have been destroyed, and the tribes on our immediate borders are pledged not to give them an asylum in future. The greater tribes, the Bonair, the Swat, the Bajourees, the Dhers, and latterly the Mohmunds, have tried their strength against our troops, and have reaped discomfiture and heavy losses. The Hussunzai, intimidated by the result, have submitted to the conditions prescribed to them. The Ameer of Cabul, whose emissaries were at one time suspected of encouraging the coalition and the hostility of the tribes, has sent troops against the Mohmund chief and taken steps to coerce his refractory father-in-law. Finally, the British troops have returned to their cantonments, and there is much reason to believe that another expedition will not for many a day be necessary.

8. Although the drain on the public resources will prove to be much more moderate than was at one time supposed, we are painfully alive to the fact that the charges on this account will be much greater than it is desirable to incur, except in case of imperative necessity. Deeply sensible of the duty which Her Majesty's Government recognises of making every exertion to check outrages, of affording every protection to the people under British sway, and of summarily and severely punishing individuals or tribes who injure our subjects or make inroads on our districts, Her Majesty's Government may rely on our not having recourse to such measures, unless they are forced upon us by the perseverance of tribes or individuals in a course of violence which cannot be otherwise repressed. We are on this point confident that we can command the cordial co-operation of the Lieutenant Governor of the Punjab and his subordinates. The general instructions conveyed in the Despatch of the 16th January are in harmony with the policy and practice of the frontier, which has ever aimed, as you are aware, at conciliating the border tribes by opening to them, under most advantageous conditions, a profitable intercourse with our territories and subjects; by wise forbearance, and by a conduct equally kindly and considerate of their position and habits: it is only when all such means have failed that resort is had to the use of force. Unhappily, the daring and turbulent disposition of mountain tribes is slow to comprehend, and still slower to appreciate, the benefits of orderly and friendly relations with the British Power and its subjects. The spirit of fanaticism and of independence is strong and very jealous; and even in making advances to secure the confidence and gain the goodwill of such tribes, no ordinary care and tact are requisite to escape misconstruction. Where such a spirit prevails, great wisdom and knowledge of the peculiar feelings of the tribes are essential, even when endeavouring to disabuse their minds of misapprehensions as to our intentions. Upon the ignorant and the prejudiced acts, rather than words, make an impression. We are of opinion that the withdrawal of our troops when the Bonair country was open to our advance and retributive measures comparatively easy, and that the non-occupation of the Muhabun tract, though ample pretext had been afforded us, will do more to assure the tribes of our pacific and unaggressive policy than any explanation, however carefully and wisely couched. Nevertheless, Her Majesty's Government may rest assured, that the frontier authorities will be strictly enjoined to seize, judiciously, every opportunity of allaying the apprehensions of the border tribes and of steadily improving

improving our relations with them. We are sure of the most willing co-operation on the part of Sir R. Montgomery in a policy so entirely in harmony with his own practice and inclinations, and from which we are convinced that nothing short of a conviction of there being a pressing necessity, consequent on the aggressive acts and the menacing attitude of the fanatic Hindostanees, could have led him reluctantly to recommend departure.

We have the honour to be, &c.
(signed) *J. Lawrence.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

(No. 67.)

Political Department.—No. 51.

From *R. H. Davies*, Esq., Secretary to Government, Punjab, to the Secretary to the Government of India, Foreign Department, Calcutta; dated Lahore, 1 February 1864.

Sir,

I AM directed by the Honourable the Lieutenant Governor to submit the following report concerning the expedition recently undertaken against the Hindostanee fanatical Mahomedans of Sittana.

2. To save reference to former correspondence, a short account will be given of this colony. — Account of Sittana colony.

Syud Ahmud Shah, the founder, was a native of Bareilly. At one period of his life he was the companion in arms of the celebrated Ameer Khan, Pindaree, who was himself a Pathan, born in the valley of Bonair. The Syud's daughters were married in Tonk, and a son also still resides there. Syud Ahmud afterwards studied Arabic at Delhi, and then proceeded to Mecca by way of Calcutta. It was during this journey that his doctrines obtained the ascendancy over the minds of the Mahomedans of Bengal which has ever since led them to supply the colony at Sittana with fresh recruits. Although the Syud in afterlife attempted to disguise the fact, his doctrines were essentially those of the Wahàbee sect, inculcating the original tenets of Islam, and repudiating commentaries on the Koran, the adoration of relics, &c. It was in 1824 that the adventurer arrived, by way of Kandahar and Kabul, amongst the Eúsúfzái tribes on the Peshawur border. He proclaimed a religious war against the Sikhs, and uniting with the Bárakzái Sirdars, then in possession of Peshawur, attacked the Sikh entrenched camp at Saidú, but was defeated. He fled by Loondkhor to Swat, and then took up his residence with Futteh Khan of Punjtar. The connexion strengthened his position among the Pathans. He subdued the Khans of Hoond and Hotee, and levied tithes from the Eúsúfzái clan. In 1828, by a night attack, he defeated the Bárakzai force, which had advanced against him as far as Zeydah; subsequently he took possession of Umb. In 1829, having again defeated the Bárakzais at Hotee, he occupied Peshawur. But his successful career was now brought to a close. His exactions had become oppressive to the Pathans, and an attempt on his part to put a stop to their taking money on the betrothal of their daughters was still more distasteful. There was a general insurrection against him; many of his followers, including the deputy left at Peshawur, were massacred, and he himself forced to flee to Puklee in Huzara. There his followers again rallied round him, but in 1830 they were completely defeated by a force under Shere Singh, and the Syud himself was slain.

Founded by Syud Ahmud Shah.
Fought with Ameer Khan.
Connexion with Tonk.
Visits Delhi, Calcutta, and Mecca.
Influences the Mahomedans of Bengal, whence the colony is mainly recruited.
Preaches Wahábee doctrines.
Comes to Eúsúfzái.
Proclaims a religious war.
Defeated by the Sikhs.
Residence at Punjtar.
Levies tithes from the Eúsúfzáis.
Defeats the Bárákzais.
Seizes Umb.
Occupies Peshawur.
Is expelled from Eúsúfzái.
Is killed at Ballakot.

3. Of his disciples who escaped with their lives, a portion found their way to Sittána. This village then belonged to Syud Akbar Shah. For tribal reasons it had some years before been made a neutral village, and conferred on his grandfather, Zamin Shah, a refugee from Takthabund in Bonair. Syud Akbar had served — Origin of settlement at Sittana. Syud Akbar Shah.

served as a treasurer and counsellor of Syud Ahmed, and on this account he willingly allowed the Hindostanees to gather round him. After the British annexation of Peshawur, the Akhoond (Abdúl Ghafúr), of Swát prevailed on the people of that valley to receive Syud Akbar as their king, in order that, in the event of an invasion, they might attain to the joys of martyrdom. He died in 1857.

Becomes king of Swat.

Sir Sydney Cotton's expedition.

4. Although the Hindostanees were known to have aided the Hussunzais in their attack on the territory of our feudatory Jehandad Khan of Umb in 1852, and there was good reason for believing that supplies of men and money reached them from Hindostan, we had no actual collision with them until April 1858, when the force noted in the margin, under Sir Sydney Cotton, went against them. The son of the Futteh Khan above mentioned, named Mokarrab Khan, had previously invited the fanatics to Punjtar and Mungul Thanah, and an assistant-commissioner encamped near the border had been attacked at night.

	Europeans.	*Natives.*	*Total.*
Artillery	131	88	219
Cavalry	16	535	551
Infantry	632	3,475	4,107
	779	4,098	4,877

Its results.

5. The results of this expedition were that the buildings at Sittana, Punjtar, Chinglai, and Mungul Thanah were thrown down, the Hindostanees expelled, and engagements taken from the Otmanzai and Jydoon tribes not to allow them to occupy Sittana.

Resettlement of fanatics at Mulkah.

6. They resettled at Mulkah, on the north side of the great Mahábun mountain. But in 1861 they came down to a place named Sirree, just overhanging their old haunt at Sittána, and commenced sending robbers into Huzara to carry off Hindoo Buneeas; and it was not until an embargo was placed on the Othmanzái and Jydoon tribes that they returned to Mulkah.

Are forced to go back to Mulkah.

Their numbers and robberies increase.

7. In 1862 it was reported that the numbers of the Hindostanees had been increased, and several robberies having been committed by robbers despatched by Mobarik Shah (son of Akbar Shah) in the Huzara territory, it was recommended that an expedition should be undertaken against Mulkah.

Second expediton advised by Punjab Government in 1862.

8. This recommendation accorded with the opinion of Major James, Commissioner of Peshawur, then absent in England, and of the Right Honourable the Secretary of State for India, who in his Despatch, No. 18, of the 7th April 1862, wrote as follows:—

"I am disposed to agree with the Commissioner of Peshawur, that it will eventually be necessary to expel the offenders by force of arms, and that they will be a lasting source of trouble so long as they are permitted to remain in the neighbourhood."

But was not undertaken.

9. The Supreme Government were of opinion that sufficient cause for undertaking an expedition had not been shown.

Further proceedings.

10. During the autumn of 1862, and ensuing cold season, not a single case of robbery was committed by the bandits retained by Syud Mobarik Shah. But in the spring of 1863 two murders occurred, generally attributed to them.

Fanatics reoccupy Sittana in July 1863.

11. On the 5th of July it was reported that the Syuds and Hindostanees had suddenly reoccupied Sittána. No attempt to prevent their coming was made by the Jydoon or Otmanzai tribe, and some of the members actually invited them.

Collusion of Jydoon and Otmanzai tribes who are blockaded.

The Syuds and Hindostanees also sent threatening messages to the Chief of Umb, a feudatory protected by the British Government. Military measures were taken for maintaining a blockade against the Jydoon and Otmanzai tribes, and militia were entertained for the purpose of protecting the territory of the Umb Chief.

Failure of attack on the Guide picket.

12. On the 7th of September, the Chief Moulvee, Abdoola, of the Hindostanees attempted a night attack on the camp of the Guide Corps at Topee; but this completely failed through the appearance of a patrol of that regiment, consisting of a duffadar and four men.

Hussunzais attack Umb outposts.

13. About the middle of September the Hussunzais attacked the Shoonglee hamlets in the Black Mountain, where one of the Umb outposts was placed.

And Tunáwal levies.

One man was killed in the affair. Again, in September, the same tribe attacked the levies of Madad Khan, of Tunáwal, killing a jemadar and six or seven men.

14. The

14. The animus of the Syuds and Hindostanees was further shown by their firing across the Indus at our levy pickets at Nowa Giran, and by a letter addressed by Moulvee Abdoola to the Umb chief, declaring war against the infidel, and summoning all good Mussulmans to join them. Acts of fanatics.

15. It may here be stated how the country thus disturbed by the Hindostanees is occupied and divided. Account of the country referred to.

It is separated into two tracts by the Upper Indus, which here runs nearly due south. On the left bank is the greater part of the Tunáwul canton held by the Umb chief. North of this is the Black Mountain, the southern half of which is occupied by the Hussunzais, and the northern by the Akazais; and further eastward from the river, joining the Hussunzais, is the petty chiefship of Agrore, subject to the British, and forming, like Tunáwul, part of the Hazara district. The portion on the right bank is bounded on the north by the Gurroo range, dividing it from Bonair, and the Borendoo River separating it from the Chigurzais, and from the Trans-Indus Hussunzais; on the east by the Indus itself, and on the south and west by the plains of Eúsúfzái. Tunáwul. Black Mountain. Agrore. Boundaries of the Trans-Indus tract.

16. The Otmanzai occupy a narrow strip opposite the Tunáwul canton, which contains the villages of Khubbul, Sittana, and Mundee. To the north is the town of Umb, which stands on the river-bank, and the Trans-Indus lands of Tunáwul; and north of this, again, the country of the Mudakheyl. Otmanzai limits.

17. Within this line is the great Mahábun Mountain, the southern slopes of which are peopled by the Jydoons, the northern and eastern by the Amazais. West of the Jydoons are the Khoodookheyl, who are shut off from the Chumla Valley by a lofty prolongation of the Mahábun reaching the Eúsúfzái border. The Chumla Valley is occupied by mixed tribes, amongst whom the Amazais are most numerous. Colonel Taylor's map, accompanying, shows roughly the respective limits of each tribe. Mount Mahābun.

18. The number of fighting men, respectively, is thus estimated :— Estimate of fighting men.

Hussunzais	2,000
Akazais	1,000
Chigurzais	12,000 (?)
Mudda Kheyl	4,000
Amazais	1,500
Jydoons	4,000
Khoodoo Kheyl	2,000

19. The situation of Umb across the River Indus is difficult of defence. The chief was exposed not only to the threats and interdicts of the Syuds, but to the hostility of the Hussunzais (who have never forgiven the arrest of their tribesmen by the chief's father, for their murder of one of our European salt-collectors), and of the Chief of Agrore, a personal enemy, who, by his marriage with the daughter of the chief, Hussun Ali, is connected with the Hussunzais. The Mudda Khail are also a little friendly to Umb, but the Amazais are well-disposed towards him. Umb.

20. Reports of the conduct of the Syuds and Hindostanees being submitted to the Viceroy, his Excellency called for a confidential report on the necessity of having resort to military operations, on the receipt of which his Excellency, by your Despatch, No. 639, dated 24th September, sanctioned the expedition. Expedition sanctioned by the Governor General.

21. In this Despatch it was stated that "the first object of the expedition was the clearance of the fanatics from the compact area of the Burrendo to the north, the Indus to the east, and our Eúsúfzái frontier to the south and south-west." The exaction of guarantees from the Jydoons, Otmanzais, and other tribes was regarded as of secondary importance. Operations against the Hussunzais were made contingent on those against the fanatics being completed early in the winter, and it was ordered that the Agrore chief should be called to account, and made to furnish guarantees for his future conduct. Its objects.

22. The Lieutenant Governor here desires to express his opinion that the operations thus sanctioned against the fanatics were just and necessary. His Honor considers that it would have endangered our future position on the frontier had we tamely submitted to the return of the fanatics to Sittana, after having for so many years insisted on their abandoning it, or failed to avail Opinion of the Lieutenant Governor as to the justice and necessity of the expedition.

ourselves of the opportunity afforded by their conduct to effect their punishment or extirpation. His Honor further believes that on this point there is no difference of opinion amongst officers acquainted with the Mahomedan frontier.

Scope of the operations.

23. Your Despatch defined the exact scope of the operations to be undertaken.

Colonel Taylor's proposal.

24. Colonel Taylor's proposal was, that the force should march to the head of the Jydoon country, either direct from Topee *viâ* Besuk, &c., or by following the route of the expedition of 1858 to Mungul Thanah, and from thence working across; and should be met near Sittana by a column advancing up the right bank of the Indus, or crossing at Rorgurh.

Views of the Lieutenant Governor.

25. His Honor had suggested, generally, that the force should march in two columns, and sweep the country on either side of the Mahábun range, mounting its heights, and thence dictating terms to the tribes.

Extension of Colonel Taylor's project by Supreme Government.

26. Your Despatch, however, laid down that "while occupying the attention of the fanatics and their allies on the line of the Indus in the neighbourhood of Sittana, the aim should be, if there be no military objections to this course, to push up a strong column to Mungul Thanah and Mulkah, so as to interpose between the fanatics and their line of retreat towards the Burrendo, their posts on which might be occupied by a separate light column, or by a detachment from the main column. The latter would, from Mungul Thanah and Mulkah, then operate, in conjunction with our troops on the Indus line, against the fanatics; and their dispersion would, under such circumstances, be on lines of direction favourable to their capture, if the co-operation of the well-disposed sections of the tribes could be elicited."

Discretion given to the commander of the expedition.

27. In the Despatch of the Secretary to the Government of India (para. 2) to the Adjutant General, it was added, that "the strength and composition of each column, and the routes to be followed, can probably best be fixed by the General commanding the troops, in consultation with the Commissioner accompanying the force."

Colonel Taylor's plan, how extended.

28. Colonel Taylor in his report, now forwarded, notes that under the above orders his original plan was extended—first, by the direction to destroy the outposts of the Hindostanees in the northern extremity of the Chumla Valley, and, secondly, by the injunction to take guarantees for their future conduct from the Amazai and Mudda Kheyl tribe.

Time fixed for expedition.

29. It was arranged that the advance of the expedition should be made as soon after the 10th October as possible, in order to leave a clear month for the operations before snow might be expected to fall.

Colonel Wilde s plan.

30. On the 27th September Colonel Wilde, commanding the Guide Corps, under whose directions the blockade against the Jydoons had been conducted, submitted a memorandum through Brigadier General Sir Neville Chamberlain, a copy of which is appended.

Details.

31. In this document Colonel Wilde advocated that, instead of taking the route followed by the expedition of 1858—viz., from Swabee Maneree through the Khoodoo Kheyl country to Mungul Thanah—one strong column should be formed having its base at "Rústum-ka-bazaar," in the Sudhoom Valley; and a second weak one, having its base at Kirplian, on the left bank of the Indus, nearly opposite Umb: the first column to be assembled at Swabee Maneree, so as to lead the enemy under the belief, generally entertained, that it would advance by Mungul Thanah, but actually to march through the Umbeylah (or, more correctly, the Soorkhawee) defile, and occupy the village of Kogah, and the next day to Cherorai—the Hazara column simultaneously with the occupation of Cherorai dropping down the Indus, and driving the enemy out of Sittana: the first column to march on Mulkah. Further movements were to be guided by circumstances and inquiry. The advantages of this route were thus reckoned:—

Advantages.

I. That the Jydoons, finding their country commanded by the force in the Chumla Valley, would keep quiet, and perhaps assist in capturing the defeated Hindostanees.

II. That the operations would be in an open valley, containing several fine villages

villages, and admitting of the employment of cavalry; whence also flying columns could be sent up the Mahábun, the northern slopes of which are easier than the southern.

III. It afforded the alternatives either of withdrawing to the plains through the Umbeylah Pass, or of sending back the cavalry by that route and advancing the rest of the force either to Mungul Thanah or Sittana, as might be found feasible.

Political questions referred to Colonel Taylor.

32. To this paper Colonel Wilde appended certain questions which he referred for the determination of the Commissioner, Colonel Taylor. They included the following:—

Will the Bonairwals cross the Gurroo Range to attack the British camp in the Chumla Valley?
Is the Umbeylah Pass easy of access?
Is the Chumla Plain large, and well adapted for military operations?
Can communication be opened from Cherorai with the Huzara district?

Reference to Colonel Taylor's reports in explanation.

33. In paras. 14 to 34 of his report Colonel Taylor explains the means which he had of replying to these and other inquiries. The Lieutenant Governor would solicit an attentive consideration of the circumstances therein represented.

Delayed in joining the camp at Swabee.

34. It is shown that Colonel Taylor, on account of the advantage of communicating personally with General Chamberlain, remained at Murree until the 3d of October, and on the 7th arrived at the Upper Indus, and took sketches of the riverboard from Bultheree, below Sittana, to the junction of the Burrendo, which demonstrated the impracticability of bringing the force direct from Cherorai to the Indus. Colonel Taylor regarded this point as the most important left for his determination, as, if the route had been practicable, there might have been no occasion to keep up communications with the rear; and the effect of a force marching right through a country is much greater than when it retires by the line of its advance; and in the present case it was of more importance, as bringing the force close to the Hussunzais, whom it was proposed to deal with if time allowed.

Arrives on the 12th October.

Colonel Taylor reached the camp at Swabee on the 12th. In the meantime he had sent thither Captain Munro, Deputy Commissioner at Peshawur, on the 7th. His assistant, Lieutenant Sandeman, and extra assistant Atta Mahomed Khan had long been employed in studying the routes into the hills, and amongst them that by the Umbeylah Pass. Agreeably to Colonel Wilde's conviction (and it must be remembered that this was founded on the local knowledge always available to the Commandant of the Guides), it was reported that "the Umbeylah Pass was easy as to roadway, and presented no military obstacles; that the Chumla Valley was wide and open, and the northern slopes of the Mahàbun easier than on the southern face." Inquiries made by Colonel Taylor himself at the head of the Tunáwul country, on the left bank of the Indus, confirmed the two latter points; and in a reconnoissance to Punjtar he verified his opinions. The information regarding the pass was not actually incorrect. It was, in common parlance, an easy one, open to camels, and the ordinary road for the traffic from the Chumla Valley. The error lay in the informants being unable to judge of its fitness for the carriage with which the force was furnished.

Erroneous information as to the easiness of the Soorkhawi Pass.

Secrecy necessarily observed as to the route to be taken.

35. He was precluded from making any direct inquiries concerning the Soorkhabee Pass. One part of the plan was to leave the enemy in ignorance that this route would be taken, so as to take them by surprise, and prevent them assembling in the pass; and investigations regarding it made at that late time would have aroused suspicion.

Superiority of the route to others.

36. The other routes he knew to be at least as bad as this one. He observes that, "It appeared at the time to suffice that the Chumla Plain could not be above 10 miles from our own Sudhoom Valley, and that the road that intervened was known to be one of general traffic, and was reported commonly in the country as open and easy. In front of our camp at Swabee stood up before us the great unbroken backbone ridge of the Mahàbun Mountain, with rough steep spurs descending towards the plain. This difficult country must be entered somewhere; it was a prize to have found a route by which the whole could be turned, and our task be accomplished by occupying country in which our troops

would be so placed that they would be as strong as on our own plains, and therefore be able to deal with, numerically, vastly superior bodies of the hill tribes."

If the full length and all the difficulties had been known beforehand, such were its military advantages that it would still have been adopted.

His Honor is of opinion that Colonel Taylor, who is specially qualified both by his attainments and experience for this duty, did all that was possible, under existing circumstances of necessary haste and secrecy, to verify the practicability of the route for troops.

Opposition of the Bonair Tribe.

37. But, after all, it was as much the opposition of the Bonair Tribe as the difficulty of the pass that led to the detention of the force, and it has to be explained why we were unable to foresee this hostility.

Little previously known concerning the tribe.

38. Colonel Taylor states that, during his two years' incumbency of the Commissionership of Peshawur, nothing had called his attention from more pressing affairs to this part of the border. The Eúsúfzai clans of the Bonair Valley had never, during the past 13 years, come into collision with the British Power; and nearly all that was known of them was that, numbering some 12,000, they had in former times sold their services in aid of the Mundun clans, especially in the Loondkhor and Sudhoom Valleys, but had never crossed over as invaders, and that numerous Paracha merchants settled in the valley were in the habit of trading with our villages by the camel-way of the Mullendray Pass. Again, little was on record concerning the Chumla Valley, save that it was inhabited by 4,000 persons of intermixed Mundun clans.

Primâ facie improbability of the Bonairwals joining the fanatics.

39. Neither Colonel Wilde nor Colonel Taylor anticipated open opposition from the Bonair Tribe. Colonel Taylor explains why he deemed it improbable :—

"The Chumla Valley was not claimed by or considered as under the protection of any large clan; it was known to be divided from Bonair by a lofty range of mountains called the Gurroo. The Bonair people had no sympathy as a body with the fanatics, being of different tenets, and forming part of the religious constituency of the Akhoond of Swat, who was known to be bitterly opposed at that time to the fanatic body, the members of which he denounced as Wahábis, coupling them with his especial rival the Kotah Moollah, whom, with his disciples, he had not scrupled to stigmatise as kaffirs (*i. e.*, infidels) for certain heterodox theories opposed to his (the Akhoond's) rulings in matters affecting the Mahomedan faith. It was indeed known that the Sittana fanatics had on several occasions paraded detachments of men, with standards, &c., from Bonair; but small importance was attached to the fact, as it was known to be their custom to purchase the services of idle tribesmen, to parade them for their own purposes; and had it been supposed that men had really been sent as auxiliaries, by a portion of the tribe, it would have been considered that they must belong to the Kotah Moollah's faction, and, therefore, be acting contrary to the general sense and politics of the tribe."

Secrecy observed did not admit of consultation with jirgah.

40. The absolute necessity for secrecy prevented any consultation with the Bonair jirgah or council. It prevented also any interrogation of the Sudhoon Khans, who might perhaps have been able to have predicted the course of action which the tribe would take.

Umbeylah route would have been adopted, even if hostility of Bonairwals had been foreknown.

41. Still Colonel Taylor expresses his doubt whether, had it been known beforehand that the Bonair population would certainly take part against our force, even then the route by the Umbeylah Pass would have been rejected; for it promised paramount military advantages, and a position in the valley affording equal opportunities either for defeating their attacks or for assuring them of our friendly intentions towards them. It will be seen from Colonel Wilde's letter, (appended,) that that officer is under the impression that the Bonair Tribe was much more under the influence of the fanatics than is commonly supposed, and would have aided them by whatever route our advance was made.

General Chamberlain was prepared for any combination of the tribes.

42. Brigadier General Sir Neville Chamberlain, writing on the 18th October to the Adjutant General, in allusion to the Bonair, Amazai, and neighbouring tribes, said :—

"If any of these tribes should prove hostile, or the whole should choose to unite against us, the force which enters the hills will, I confidently believe, be found

found strong enough to hold its own against any tribe or combination of tribes which may endeavour to oppose it."

43. A detail of the force employed on the expedition is given below; together with that posted on the line of the Indus:— Detail of troops employed.

	European.	Native.	Total.
Artillery - -	50	230	280
Cavalry - -	—	200	200
Infantry - -	1,100	4,050	5,150
	1,600	4,480	5,630 and 13 guns.

With the Commissioner there were also 1,000 levies of the armed men of the country, who were used in guarding the rear communications.

The following troops held the line of the Indus, Huzara, and Eusufzai:—

Durbund.—350 European Infantry.
250 Native Infantry. Three Guns.

Torbela.—One Squadron of Native Cavalry. Details of Native Infantry.

Topee.—150 Native Cavalry, 250 Native Infantry, and two Guns.

Abbottabad.—One Company of European Infantry.
Depôts of two Regiments of Native Infantry.
50 Native Cavalry, and three Guns.

Roostum Bazar.—300 Native Cavalry. Details of Native Infantry.

Murdan.—Depôt of Guide Corps.

44. The Commander-in-Chief had been informed by the Government of India that the Lieutenant Governor would assist in the collection of carriage, and accordingly, through the agency of the district officers, about 4,000 mules, ponies, and other beasts of burden* were assembled, in addition to the permanent equipage. Carriage furnished by Lieutenant Governor.

45. To form the expeditionary force, all the northern military stations were drawn upon to such an extent that no reserve could be maintained nearer than Lahore. Stations denuded of troops.

46. The following details will show the number of troops left at each station:— Troops left at stations.

Peshawur.—Besides several Batteries of Artillery:

1 Regiment of Hussars.
1 Regiment of European Infantry.
2 Regiments of Bengal Cavalry.
3 Regiments Native Infantry, all weak in effective men; and having to hold outposts, which took up one regiment.
Depôts of 5th Goorkhas and 1st Punjab Infantry.
50 Native Cavalry.

Kohat:

2 Guns Punjab Battery.
2 Squadrons Native Cavalry.
2 weak Regiments Punjab Infantry.

Rawul Pindee:

1 Regiment of Native Infantry, out of which 120 men were at Murree.
1 Battery of Artillery.
1 Company of 93rd Highlanders.
Depôts of 51st and 101st.

Bunnoo:

2 Guns Punjab Battery.
1 Regiment Punjab Cavalry.
1 Regiment Punjab Infantry.

Dera Ismail Khan:

2 Guns Punjab Battery.
1 Regiment Punjab Cavalry.
1 Regiment Punjab Infantry.

Abottabad:

3 Guns.
1 Company of 93rd Highlanders.

47. Proclamations, of which copies are appended to Colonel Taylor's report, separately addressed to the tribes concerned, were issued. The Jydoon jirgah came into and remained in our camp throughout the hostilities. The people of the Proclamations issued to tribes.

* This is exclusive of camels and of the carriage taken with the regiments.

the Chumla Valley afforded supplies, when not afraid of the others. The Bonair, Amazai, and Mudda Kheyl tribes all took part against us.

18th October. Force leaves Swábee.

48. On 18th October, the expeditionary force moved from Swábee to Nowakilla, a feint being simultaneously made towards the Durrum Pass, to mask the real line of advance.

Night march to the Umbeylah defile.

49. At 9 p.m. on the 19th, a column under Colonel Wilde, accompanied by Colonel Taylor, advanced from Nowakilla, and reached the mouth of the Soorkhawee defile, where it halted for the dawn. It was then seen that the roadway was in parts overgrown with brushwood, and overhung by trees.

Arrival of the force on the crest, 20th October.

50. Colonel Wilde's column arrived at the crest of the pass at 4 P. M. on the 20th, experiencing a slight opposition, easily overcome, from a few of the Bonair tribe. General Chamberlain, with the rest of the force, arrived at dusk on the same day.

Length and difficulty of the pass.

51. On the 21st, General Chamberlain telegraphed to the Lieutenant Governor that the pass was "much longer and more difficult than was anticipated, and that the Bonair tribe had assembled, but it was hoped would not act against us."

Causes of detention.

52. And again on the 22nd, as follows:—"The force had to halt, to allow baggage, supplies, and rearguard to come up. Road very bad. Carriage and drivers inefficient. Hopes the force will be able to move into the Chumla Valley to-morrow; but it cannot march incomplete. The Bonair tribe still assembled at mouth of their own pass, which penetrates the Gurroo Range, and faces Umbeylah on the left of our line of march. They are doubtful of our designs, and apprehension has been created in their minds by the fanatics."

Reconnoissance of of Chumla Valley.

Attack by Bonairwals.

53. On the 23rd occurred the reconnoissance of the Chumla Valley by Colonel Alexander Taylor, C.B., whose detachment was attacked when returning by the Bonair tribe.

Consequences of Bonair opposition.

54. This event caused General Chamberlain to telegraph thus—"The Bonair tribe having acted against us, threaten our line of communication with Roostum. To enable us to maintain the pass, or operate in the direction intended, it will be necessary to hold the pass in strength. I have ordered up the wing of the Ferozepoor Regiment from Nowakillah to Roostum. Another native infantry regiment must be given from Peshawur, and should be sent to Roostum at once. More native infantry may yet be necessary to secure our present line of communication."

55. Here it must be noted that, the Governor General being in Thibet, and the Commander-in-Chief also in the interior of the hills, the Lieutenant Governor, to save time, was obliged to take upon himself the duty of attending to General Chamberlain's requisitions.

4th Goorkhas sent from Peshawur to the pass.

56. It has been shown above that the troops at Rawul Pindee and in the Peshawur Valley had been much reduced; nevertheless, His Honor at once requested the General commanding at Peshawur to send another native regiment to the Umbeylah Pass. Accordingly, the 4th Goorkhas joined General Chamberlain on the 29th.

Bonairs joined by Syuds and Hindostanees.

57. It is unnecessary here to recount the combats in which the force was engaged; but it should be mentioned that the Bonair tribe were joined on the 25th by Mobarik Shah and the Hindostanees, and, on the 26th, by the Akhoond of Swat.

58. The change thus occasioned in the work to be performed will be understood from General Chamberlain's telegram of the 27th:—

Akhoond of Swat joins the Bonairs.

General Chamberlain advises that more troops be sent Trans-Indus.

"All goes well, and I entertain no fear as to final result if supported by more infantry, and kept in supplies and ammunition. Tribes losing men, and will tire first. The Akhoond of Swat having joined, coalition is serious, because his influence extends as far as Kohat, and other tribes may take up the fanatical cry. I recommend your sending Trans-Indus as many troops as can be spared from below. Any backwardness now might cause great inconvenience; whereas, if the tribes hear of the arrival of troops, those tribes not committed are likely to keep quiet."

59. The

59. The Akhoond is an ascetic named Abdúl Ghafur, who has long had great spiritual ascendancy over the Eúsúfzai clans in Swat, and who is regarded with reverence by the Pathans generally. He is stated by Major James to owe much of his influence to his keeping up the fear of an invasion of the valley by the British. Abdul Ghafur, Akhoond of Swat.

60. It had been hitherto understood that an antagonism existed beween the Hindostanee fanatics and the Akhoond; and their union in a common cause, touching the religion of so large a population without and within our frontier, and also of a portion of our native troops, was not without a serious aspect. The Lieutenant Governor had previously, in the absence of the Governor General in the Hills, considered the expediency of forming a reserve near the Indus; and on the 28th, in consultation with Colonels Norman and Durand, the Military and Foreign Secretaries to the Government of India, who had lately arrived at Lahore, he arranged for the forward march of the 93d Highlanders from Sealkote, and of the 23d and 24th Native Infantry from Lahore. The presence of the two last regiments at Lahore was a fortunate accident, as they were on escort duty with the Viceroy's camp. The troops at Meean Meer at this time were so few that there was difficulty in supplying a guard of 24 bayonets for the Lieutenant Governor. His junction not expected. Lieutenant Governor arranges for the advance of a brigade towards the frontier.

61. At the same time his Honor was keenly sensible that if there were danger in the religious combination which had occurred, it would be greatly increased if a temporary appearance of success and triumph were given to it by the long detention of our force on the defensive, and that the absence of this large force from the Peshawur Valley, at a time of danger, both invited attack and diminished the means of repelling it. Sentiments of the Lieutenant Governor concerning the halt forced on General Chamberlain.

62. His Honor therefore entertained the hope that General Chamberlain would speedily overcome the unexpected opposition with which he had been met at the Umbeylah Pass, and that he would, without delay, be able to proceed into the Chumla Valley, as had been planned. It was, therefore, not originally intended that the brigade from Lahore should join General Chamberlain's force, but should serve as a support to it in the plains. Lieutenant Governor hoped that an advance towards Mulkah would be made before reinforcements could arrive.

63. But General Chamberlain found it impracticable to move into the Chumla Valley with the formidable enemy, now reinforced from Bajour, threatening his left flank and rear communications. An advance found to be impracticable.

64. Under these circumstances his Honor inquired, on the 8th November, if the General, on receiving a reinforcement of about 1,600 infantry, could advance with the object of destroying Mulkah. Lieutenant Governor inquires if an advance can be made when reinforcements arrive.

65. Sir Neville Chamberlain replied on the 12th that, "if the head of the pass should be held by 2,000 infantry and some guns, it would be practicable to move the force down to Umbeylah;" but he deprecated any advance on Mulkah until the Bonair tribe had been brought to terms, which in due time he thought they could be. General Chamberlain replies affirmatively, assuming the crest of the pass to be strongly held.

66. About the 4th of November, the Lieutenant Governor, in consultation with Colonel Norman, agreed that the 7th Fusiliers, forming part of the escort with the Viceroy's camp, should march towards the frontier, which it accordingly did on the 5th. 7th Fusiliers pushed on from Lahore.

67. Foreseeing the demand that would arise for carriage suitable to the hills, his Honor at this time issued orders in the Military Department for its collection; and in all November and the beginning of December, 4,200 camels and 2,100 mules, &c. were assembled from all parts of the Punjab Provinces at Nowshera. Additional hill carriage collected.

68. In the absence of native infantry, a party of 200 foot police and 75 horse were sent to Nowakilla to aid in protecting the rear communications, which had been threatened. Body of police sent to Permouli.

69. His Excellency the Commander-in-Chief arrived at Lahore on the 14th November, and from that time the Lieutenant Governor ceased to give any direct instructions concerning the movement of troops; though he did not fail, through Colonel Norman, to apprise his Excellency of the sense which he entertained of Arrival of Commander-in-Chief at Lahore.

the importance of reinforcing General Chamberlain, so as to enable him to make a forward move, and of the great political danger of avoidable dalay.

Col. Taylor's plans consequent on the detention.

70. It will be observed, from paras. 93, 94, and 95 of Colonel Taylor's report, that that officer, in agreement with General Chamberlain, advocated, in his letter of the 11th November, that the Bonair tribe should be pressed until they consented to send away the Hindostanees; and that, in order to do this, an additional brigade should be sent to hold the crest of the pass, whilst the force moved down to Umbeylah village threatening the Bonair Pass, and compelling the tribe to fight or send away the Hindostanees. Colonel Taylor's plan, in the event of the submission of the Bonairwals, was for our force to destroy Mulkah accompanied by their jirgah.

71. The Lieutenant Governor, on the 14th November, recorded his strong opinion against any operations which would entail upon us the necessity of entering the Bonair Valley, or which would involve us in an extended and prolonged hill campaign. In these views his Honor was strongly supported by the Supreme Government. His Honor at the same time recommended the additional brigade being advanced to the Umbeylah Pass.

Their ultimate fulfilment.

72. The actual event justified Colonel Taylor's proposal to press the Bonair tribe, for they submitted in the end without their territory being visited; and Colonel Taylor and General Chamberlain are entitled to applause on this occasion, both for the constancy of their designs, and the correctness of their judgment.

Views of the Lieutenant Governor.

73. His Honor, previous to the receipt of Colonel Taylor's letter, was not assured that the Bonair tribe would consent to send away the Hindostanees. He still doubts if they would have done so had their losses not been so severe and our victory so complete. The state of matters up to the 21st of November much increased these doubts; and, in fact, it was not until our force drove the enemy from Laloo and Umbeylah, on the 15th and 16th of December, that the tribe felt themselves at liberty to separate from the confederacy, and to make their submission. When the Lieutenant Governor discussed the subject, on the first occurrence of the check, he was far from imagining that the force would so long remain stationary; and it was his sense of the political risk involved in this attitude that led him to object to negotiations with the tribe. No doubt when the reinforcements reached, and active measures were taken, the Bonairwals could be pressed to agree to send away the Hindostanees, or to any other condition.

Colonel Taylor's opinion as to the comparative advantages of the Umbeylah route

74. In paras. 96 to 112, Colonel Taylor investigates the question as to whether an adherence to the route suggested by the Government of India would have avoided collision with the Bonair tribe. He points out that the Moulvee had previously by letter (copy of which is annexed) invited the Bonair chiefs to occupy the Surputtee and Chingullee Passes, from the Khoodoo Khail country, and that it is possible they might have done so, and thereby threatened our advance towards Mulkah. He further dwells on the physical difficulties to be overcome in crossing the Mahabun, and in case of a check on the possible combination of the northern tribes, Hussunzais, Chighurzais, Mudda Khail, Amazais, &c., which would have been formed against us, at a long distance from our own territory. On the whole, however, he thinks that we should have succeeded in advancing to Mulkah by this route; but then the instructions of the Government of India required in addition the destruction of the Hindostanee outposts at Nawagai and Mukhrunye, in the Chumlah Valley. This would have taken the force into the open plain past Kooria; and Colonel Taylor is of opinion that its appearance there would have alarmed the Bonair tribe and brought them upon us, and he thinks it was better that we met them at the Umbeylah Pass, with our own country so close in rear. Lastly, he regards the results which accrued in the defeat of the numerous confederation of tribes, urged on by their religious leaders, as more likely to give us permanent peace than if our operations had been on a smaller scale.

Views of the Lieutenant Governor.

75. The Lieutenant Governor is disposed to regard as sound these opinions, which come with weight from Colonel Taylor, on account both of his scrupulous candour and also of his special aptitude in judging of ground from a military point of view. His Honor is himself convinced that the advantages promised by the

the selection of the Soorkhawee route were real and substantial, and that in the end they were fully attained. The delay in the arrival of the baggage on the crest, and the opportunity of attack afforded to the Bonair tribe in the consequent detention of the force in a very extended position, were accidents to which expeditions into mountains must occasionally be liable; and liability to which, in this instance, was increased by the short time allowed for preparation, and the larger amount of baggage caused by the presence of European troops.

Harvest time that generally fixed for hill expeditions.

76. The time fixed for the expedition was that of harvest, and when forage for cattle is most easily procurable. It has been usual to choose this season for such operations, as the hill people, fearing for their crops, are then more amenable to our demands.

Details concerning the carriage supplied to the force.

77. To supplement the camels, which are always the great stand-by, and to furnish mule carriage, it has been explained that the district officers had used every exertion. The number of animals collected was more than sufficient, for some were sent back from the pass; yet, amongst so many hurriedly assembled, there must have been some weakly animals, but no complaint on this subject was made previous to the advance, and no officer had greater experience of the carriage most needed, or paid more attention to this important point, than General Chamberlain. It is explained by Colonel Taylor that, owing to the presence of brushwood and large boulders in the roadway, loads were knocked off the mules' backs or thrown down by animals unfit to take them up again. As night came on, the stores necessary for the Europeans had to be brought up out of order, and a stoppage of the line occurred. The pass at its head was so narrow that only one animal could make its way at a time. All the baggage was not up until the 24th October. On the previous day had occurred the junction of the Hindostanees with the Bonair tribe, and the General had asked for more native infantry.

Character of operations changed.

78. From that time the character of the operations was changed. The sudden march projected over the pass into the open valley had failed; and the defence of a very extended position in the hills had to be undertaken.

Possible dangers which might have attended a successful march to Kogah.

79. Colonel Taylor has pointed out that if the original plan had been carried out, and our force had gained Kogah, even then, if the Bonair tribe had persisted in hostility, our communications and any small force left to hold the crest might have been jeopardised. Still, it is not impossible that a bold move down to Umbeylah, threatening the pass into Bonair, might have frightened the tribe into submission, and opened their minds to our explanations. But much risk would have attended the failure of such an operation.

Orders of the Supreme Government prohibiting any extension of the original plan.

80. The Supreme Government had repeated their instructions that the operations should not be extended beyond the area originally contemplated, and that they should be completed by the 15th November.

No. 194–796, 14th November. Lieutenant Governor recommends reinforcements being sent to General Chamberlain.

81. On the 14th of that month the Lieutenant Governor reviewed the situation, in the letter marginally noted, and (as was before mentioned) recommended that an additional brigade of 1,500 men should be sent to General Chamberlain, to enable him to move down to Umbeylah, and act on the offensive against the Bonairwals. It was calculated that this reinforcement could reach in about 15 days. Seven hundred additional mules had already been collected near Rawul Pindee, and it was hoped that the district officers would be able to raise the number to 2,000 within the time specified. Colonel Norman, on the part of the Supreme Government, instructed the Commander-in-Chief to despatch the brigade—the means of forming which, as previously stated, had already been advanced from Lahore.

General Chamberlain's telegram of the 19th November.

82. But General Chamberlain's telegram of the 19th showed a state of things which gave rise to serious apprehensions in the mind of the Lieutenant Governor concerning the position of the force during the days which must elapse before the brigade could reach it.

His action of the 18th.

83. The telegram reported that on the morning of the 18th the position in the Soorkhawee Pass had been relinquished for a better one, in which the troops were more concentrated, and communicating with the plains by the Shérdurrah Pass; that the enemy on learning this movement, attacked in force, taking one

of our pickets and killing four officers and 45 men, and wounding 69. The telegram concluded as follows :—

"The troops have now been hardworked both day and night for a month, and having to meet fresh enemies with loss is telling. We much need reinforcements. I find it difficult to meet the enemy's attacks and provide convoys for supplies and wounded sent to the rear. If you can give some fresh corps to relieve those most reduced in numbers and dash, the relieved corps can be sent to the plains and used in support. This is urgent."

Number of sick and wounded in camp.

84. On the 20th the General reported that he had 452 sick and wounded, for whose removal to Permouli he was arranging.

Major James relieves Colonel Taylor, his locum tenens, of the commissionership. Action of 20th. General Chamberlain wounded.

85. On the 20th, also, Major James (who, having returned from England, resumed charge of the Commissionership of Peshawur from Colonel Taylor) reported an attack at noon on that day, in which we again lost a picket, subsequently retaken, together with two officers and 128 men killed and wounded. On this occasion General Chamberlain was severely wounded in the wrist.

Lieutenant Governor authorises withdrawal of the force to Permouli, if the General should deem this advisable on military grounds.

86. The Lieutenant Governor consulted with Colonel Norman, who recorded his opinion that, under all the circumstances, the force ought to be withdrawn to the plains; and as the Lieutenant Governor concurred with this experienced officer (who had, from the office which he holds, the best available means of knowing to what extent, and in what time, reinforcements could be furnished) in thinking that there was no adequate object in view requiring the continued exposure of the force under such disadvantages to repeated attacks, which it could not meet on the offensive, and to great loss of men, his Honor telegraphed to Major James, detailing the then position of the advancing regiments; that they could not all reach under 12 days, and that no further reinforcements could be sent without great delay; that any disaster to General Chamberlain's force would be a great political misfortune, and was by all means to be avoided; and that the Lieutenant Governor no longer insisted on the General's advancing for the purpose of attaining the objects of the expedition, but authorised the withdrawal of the force to Permouli if, on military grounds, he deemed it advisable. It was designed that in the event of the force withdrawing it should advance into the Jydoon country.

His Honor considered that, under the circumstances, the military commander should be left free to act solely according to the military necessities of the case, without regard to political considerations; and feeling that General Chamberlain's moral position, in the event of there being a necessity for the retirement of the force, would be fortified by sanction to the measure being previously given by the Local Government, his Honor did not hesitate to take the responsibility involved in this course on himself.

This measure not found to be necessary.

87. This precautionary measure happily proved unnecessary. On the 22d, Major James telegraphed to the effect that, though the position was difficult, he was confident of success, that the return of the force then would be a great calamity, and that the original objects of the expedition could be accomplished. General Chamberlain was also of opinion that there was no necessity for any retirement.

No attack made after the 20th.

88. The attack of the enemy on the 20th proved their last.

On 23d a part of the reinforcement reaches camp.

89. On the 23d a wing of the 23d Native Infantry reached camp, with some European details.

Enemy fail to attack on Friday.

90. It was considered significant of the depression of the enemy that no attack was made on the 27th (Friday), which day from superstitious motives was generally selected.

28th November. Lieutenant Governor records his strong objections to the stationary attitude of the force.

91. On the 28th, having heard that the Government of India approved of the withdrawal of the force to the plains under the circumstances above represented, the Lieutenant Governor recorded a Minute showing that these had much improved, but still objecting to the stationary attitude of the force, and urging some forward movement. But the obstacle to such a movement was that the reinforcements had not all yet reached the camp.

Major James' negotiation.

92. In the meantime Major James did what was possible by negotiation to weaken the enemy, and with considerable success, due in some degree to the losses sustained by the confederacy.

He

He says in his report, para. 20— 21

"I succeeded in drawing off Ahmed Khan, with the greater portion of the Ashezai and Salarzai sections of the Bonair tribe; the Ranizai were also induced to return to their homes to the number of 2,000; Sohbut Khan, of Swat, also sent home his immediate followers. Minor personages acted in a similar manner, and amongst those who remained, a mutual mistrust prevailed." Their results.

93. Major James further states that on the 25th, he became convinced that the Bonairwals were really inclined for peace. But about this time the enemy were reinforced by the arrival of Fyztullub Khan, of Bajour, with 3,000 men, and the Hajee of Koonhar, an ascetic of note amongst the Hussunzais, with a following of 500. Enemy reinforced from Bajour and Hussunzai country.

94. It was now that a misunderstanding occurred which led to some delay in the arrival of the long expected reinforcements. Major James had moved Colonel Wilde to send a body of troops, chiefly cavalry, from Permouli, Murdan, and Topee, to overawe the people of Loondkhor in our territory, and induce the people to return to their homes, for they had secretly abetted the enemy. It was thought that it might also alarm the Swattees. Major James had previously considered the policy of making a demonstration against Swat, and had adjudged the scheme inexpedient. Unfortunately, he omitted to communicate the opinion which he had formed on this measure to the Lieutenant Governor, who, therefore, when the Commander in Chief proposed to employ the 7th Fusiliers and 3d Sikhs in making a feint on Swat, assented to the plan, as well calculated to draw off the enemy and facilitate our advance, whilst the troops still remained within a few marches of the Umbeylah Pass. But on Major James representing that he had promised the Swat chiefs that no movement should be made against them, the Commander in Chief at once agreed to forego his plan. Cross-purposes regarding the feint against Swat.

95. By the 5th of December all the reinforcements were in camp. 5th December. Reinforcements in camp.

96. The state of the frontier is thus represented by Major James: State of the border.

"The excitement was spreading far and wide. The Mohmunds on the Peshawur border were beginning to make hostile demonstrations at Shubkudder for the first time since their signal defeat near the same place in 1852, by the late Lord Clyde. Rumours were also reaching me from Kohat, of expected raids by the Waziris and Otmankhail; emissaries from Kabul and Jalalabad were with the Akhoond, who had also been further reinforced by Ghuzun Khan, the chief of Dhér, and 6,000 men. On the 5th December, the Mohmunds made a raid into our territory near Shubkudder."

This description sufficiently proves that the anxiety of the Lieutenant Governor, as to the consequences of the long stationary position of our force, was not unfounded.

97. On the 5th, Major James, in accordance with the constant instructions of the Lieutenant Governor, urged General Garvock, in a written memorandum (to be found in para. 27 of his Report) to attack Lalloo and move on Umbeylah. And on a reference by General Garvock, the Commander in Chief directed that, whilst a portion of the force held the Umbeylah Pass, the remainder should advance to Mulkah, and return by the same route. On the 8th, Major James again addressed General Garvock (para. 31) strongly insisting on the advantages to be gained by the assumption of the initiative, and by an immediate attack on Lalloo. But this was prevented at the time by some intermediate orders from the Supreme Government to the Commander in Chief. It should be noted that by the arrival of the 93d Highlanders, 7th Fusiliers, and two Native Infantry regiments, all of which it will be remembered had been moved up at the Lieutenant Governor's suggestion, the force was now in a position to do anything, being more than 9,000 strong. Major James urges immediate advance. This prevented by circumstances.

98. On the 10th, the Bonair jirgah suddenly came in to Major James, who is of opinion that they were sincere in their anxiety to agree to his terms. However this may be, they failed in persuading their allies to make peace, and Major James received information that the enemy contemplated an attack on our position on the 16th. Bonair jirgah come in.

99. On Major James' application, the Lieutenant Governor procured instructions General Garvock authorised to com-

ply with the Commissioner's requisition.

tions from the Commander in Chief authorising General Garvock to comply with his requisitions, provided he deemed them practicable in a military sense.

Major James again urges attack on Lalloo.

100. On the 14th, Major James again addressed the General urging an immediate attack on Lalloo, where 4,000 men, including 300 Hindoostanees, were reported to be. General Garvock assenting, the enemy were expelled from

Lalloo stormed and burned.

Lalloo on the 15th, with a loss of 400 killed and wounded to our 40.

101. On the 16th, the force descended to and burned the village of Umbeylah, the enemy again losing 200 men.

Bonairwals abstain from fighting.

102. Major James states that the Bonairwals proved the sincerity of their desire for peace by taking no prominent part in these actions.

Flight of the allies.

103. The people from Bajour and Dhér now fled. The Akhoond and Swatees held themselves in readiness for flight. On the 17th the Bonairwals again presented themselves to Major James, asking for orders.

Bonair jirgah again come in.

Major James arranges for destruction of Mulkah by Bonairwals.

104. Finding that it would take at least seven days before a strong brigade could be sent to destroy Mulkah, and fearing that during that interval fresh combinations of the tribes might occur, Major James arranged that, as soon as the Bonairwals had dismissed the Swatees, &c., from their pass, and had given hostages of the whole of their chief men, they should, in company with some selected British officers, escorted by the Guide corps, proceed to destroy Mulkah, and to expel the Hindoostanees from the Bonair, Chumla, and Amazai lands.

Under direction of Colonel Taylor.

By a generous and graceful concession, Major James deputed Colonel Reynell Taylor, C. B., as the Political Officer with the party.

Mulkah burned.

105. The destruction of Mulkah was completely effected and without resistance, though until the Bonairwals had talked to them, a party of the Amazai tribe appeared in an ambiguous attitude.

106. Major James was satisfied with the manner in which the work was performed, and applauds Colonel Taylor's conduct on the occasion.

Force returns to the plains.

107. The party returned to the Umbeylah Pass on the 23d, and on the 25th the whole force had arrived at Nowakilla in the plains, not a shot being fired as it retired.

Views of the Lieutenant Governor.

108. Under the circumstances represented, and the great disadvantages of delay, the Lieutenant Governor entirely approves the decision of Major James not to await the action of our troops. His Honor also agrees with Major James in thinking that it was wise to make the Bonairwals perform a deed which the Hindoostanees will not readily forgive.

Major James' proceedings in reference to the Jydoons and Otmanzai.

109. In paras. 52—62 of his report, Major James gives the particulars of his proceedings, supported by a brigade under Colonel Wilde, in dealings with the Jydoons and Otmanzai tribes, from whom he took fresh agreements.

Major Coxe brings in the Mudda Kheyl and Amazai.

110. In the month of January, Major Coxe, the Deputy Commissioner, procured the submission of the Mudda Kheyl and Amazai tribes, and received their engagements not to harbour the Hindoostanees.

Also the Hussunzais.

111. Later he also received the submission of the Hussunzais, with the exception of Kubool Khan, the son of the chief. It is intended that they shall make reparation to the Umb chief for the outrages against him.

Fate of the Hindoostanees.

112. Major James states that the number of the Hindoostanees never exceeded 900, and that half were killed or wounded. Of the remainder some are in Swat and some in the Trans-Indus Hussunzai country.

Views of the Lieutenant Governor.

113. The Lieutenant Governor desires to offer a few remarks regarding the events and affairs detailed in this report.

Regarding the original policy leading to the expedition.

114. It is shown that, whether there was previously between the Hindoostanees and the tribes an alienation, as Colonel Taylor and Major James report, or a good understanding, as Colonel Wilde suspects, this has at least been shown that their quarrel, if any existed, was not irreconcilable. It has been proved that partly at least on their account a formidable combination of the tribes has been effected, and that their councils have had the ascendancy. It is, therefore, evident that this coalition might have taken place under other circumstances, and

and that the religious war that they have so persistently preached might at some future time have been adopted by all the frontier tribes. It must be inferred that the fanatics were no harmless or powerless religionists, but, as they have been constantly represented by this Government, a permanent source of danger to our rule in India; and that the policy, by which their extirpation was designed, was right and defensive. If anything could make their intrigues clearer it would be the recent discoveries in the Police Department, by which they are shown to have had a regular machinery, in the meat contractors of our Commissariat Department, for obtaining recruits and supplies from Hindostan. It may be true that in ordinary times they can do little against us, but they serve to keep up a fanaticism which might otherwise die out, and which in any general disturbance would be a rallying point against us.

115. 2dly. Regarding the strength of the force employed.—The following is a detail of the number of troops employed in the several hill expeditions: — Regarding the strength of the force.

Year.	Tribe against which Undertaken.	No. of Troops.	Year.	Tribe against which Undertaken.	No. of Troops.
1850	Afreedees - - -	3,200	1853	Boree Afreedees - -	1,500
1851	Meeranzai - - -	2,050	1854	Michnee Momunds - -	1,600
1852	Momunds - - -	700	1855	Meerazai - - -	3,700
1852	Ranizái - - - -	2,000	1855	Raobenkheyl, Orukzais -	2,300
1852	Osmankheyl - - -	2,000	1856	Meeranzai - - -	4,550
1852	Kaghan - - - -	850	1857	Bozdar - - - -	2,640
1852	Omerzai Wazíris -	1,500	1858	Sittana fanatics - -	4,877
1853	Hussunzais - - -	850	1859	Kabul kheyl Wazíris -	3,911
1853	Sheoranees - - -	2,800	1861	Muhsood Wazíris - -	5,196
1853	Kusranees - - -	600	1863	Sittana fanatics and Bonair tribe.	5,620

It will be observed that the force on the present occasion was larger than on any former one. It was considered by all parties more than sufficiently numerous to deal with any opposition which it might meet, and was indeed as large as a force can conveniently be which is to move about in the hilly country. The extended position in which it was attacked did not allow of its numbers being fully availed of; and the necessity which arose for holding the Umbeylah Pass in rear of the advancing force, was one which had not previously occurred in the hill warfare of those parts. In future, however, the Lieutenant Governor is of opinion that no hill expedition should be undertaken without the formation of a strong reserve close at hand.

116. 3dly. Regarding the route selected.—The Lieutenant Governor has already stated that he considers its advantages were shown to be so great that it could not be properly rejected. And he is further of opinion that in the check which it maintained over the Jydoons, whose country it turned and commanded, and in the facilities which it ultimately afforded for the defeat of the combined tribes, for the destruction of Mulkah, and for the effectual attainment of the objects of the expedition, it was much superior to any other route, and physically less difficult. And his Honor is further convinced that, whilst by no other route could the designs of the Government have been thoroughly accomplished, a selection different from that which was made might probably have led to a similar detention in ground equally difficult of defence, but further removed from our resources, and that an entry into the Chumlah Valley, near Kooria, might equally have alarmed the Bonair tribe, even admitting that previously they were not leagued with the fanatics. His Honor remarks that a prolonged halt at any point within the hills is dangerous. Time is afforded for a combination of the tribes, of which they will always avail themselves. The success which has heretofore invariably attended our expeditions has been due to the secresy and rapidity with which they have been carried out, and to our retiring immediately our objects have been attained. Regarding the route used.

117. 4thly. Regarding the carriage furnished to the troops by the civil authorities, his Honor observes that a number of mules, far more than sufficient, was collected in a remarkably short space of time, the orders going out only in the Regarding the carriage.

latter end of September. It is quite certain that the resources of the country, and in respect of mules they are not small, were made instantly available to the army. There was no want of foresight, and all was done that possibly could be. Still his Honor is very sensible that the organization of carriage is a cardinal condition of success in hill warfare. In the regiments under the local Government it is carefully observed, for their equipage is part of their standing establishment, and the animals are trained and well fed. In the Umbeylah Pass it was proved that camels were more serviceable than mules, their loads being raised above brushwood and boulders, instead of knocking against them. Of camels there was no deficiency, and they must form, and have always formed, whether in the Kabul war, the Mahsood Wuzíri expedition, or any other into the hills, the main carriage of the army. It appears to his Honor also that a Commissariat baggage master is indispensable in these expeditions, and that he should have power of summary punishment, and of arranging for the clearance of the road, where practicable, by pioneers or labourers.

Regarding the constitution of the force.

118. 5thly. Regarding the constitution of the force.—European troops add much to the strength of a force moving into the hills, but diminish its mobility. The amount of baggage and carriage is multiplied. The question of their presence being necessary should always be well considered beforehand, and in the event of its being determined on, attention should be paid to their special equipment for the hills. It may be cited as a proof of the necessity of this precaution that a portion of the gear of one of the Punjab batteries which accompanied General Chamberlain was taken by the European batteries as better adapted to the service to be undergone, losing him the services in addition of the Punjab guns.

Regarding the dispatch of reinforcements.

119. 6thly. Regarding the dispatch of reinforcements.—It has been shown that in the absence of the Governor General and the Commander in Chief, the Lieutenant Governor, on the first detention of the force, considered this question; and, on General Chamberlain's application, with the concurrence of Colonel Norman, his Honor, having regard to the possible spread of excitement in the Peshawur Valley, consequent on the religious character by the enemy's hostility, very early procured the advance of an additional brigade towards the frontier. And subsequently, when it was found that the force could not move on without holding the pass, this brigade, on reference to the Commander in Chief, was made available as a reinforcement for General Chamberlain. There was no avoidable delay in the advance of fresh troops, but the distance from Lahore is considerable, and its strength as a support to the frontier would be increased if more rapid means for the transport of troops existed.

Regarding the general results of the expedition.

120. 7thly. Regarding the general results of the expedition.—The Lieutenant Governor regards these as important and satisfactory. Not only have the Sittana fanatics been expelled from Mulkah, where they doubtless believed themselves unassailable, as may be gathered from the permanent character of their buildings there, but about half of their number have been placed *hors de combat*, and the tribes of the Mahábun, the Jydoons, the Muddakheyl, and the Amazais are severally pledged not to afford them a refuge in future; whilst the destruction of Mulkah by the Bonairwals is a sufficient guarantee against their doing so. This is much; but, in addition, we have successfully endured the shock, within the hills, and under no favourable circumstances, of the great tribes on the Peshawur border, the Bonairwals, Swatees, Bajourees, and men from Dhér, and elsewhere, combined to resist our entry amongst their mountains, and animated by the zeal and example of their chief religious patriarch. As regards the Bonairwals, the Lieutenant Governor regrets that their ignorance of our character and strength should have led them, without any real provocation, to attack our force. They had no kind of right to the pass, and although the village of Umbeylah is owned by members of their tribe, it is an integral part of the Chumla Valley, the villages of which appertain to various tribes, and is under no exclusive dominion. The Bonair tribe have suffered severely for the unjust pretensions which instigated their aggression. As regards the other tribes, their hostility was openly wanton and fanatical; and would warrant any reprisals, if it were convenient to us to inflict them. It is satisfactory that the operations have been so decisive that it is not anticipated now that any expedition, as originally designed, will be necessary in the spring against the Hussunzais, who, with the exception of one principal person, have already submitted.

121. Lastly

121. Lastly, regarding the services of the troops and officers.—On no former occasion has the fighting in the hills been of so severe and sustained a character. The great distance of the many salient points of the first position from each other, broke up the apparently large force into a series of pickets, which, whilst difficult to support quickly, were exposed to sudden and repeated onslaughts from overwhelming numbers, and, when at rest, to a harrassing fire from excellent marksmen. The duty was incessant and dangerous, and the Lieutenant Governor deplores, with deep regret, the large loss in men and officers which it entailed. The services of the survivors will, doubtless, have been brought before his Excellency the Viceroy in the Military Department; but remembering that a large part of the force was drawn from the troops immediately subordinate to this Government, his Honor desires to be permitted to express his deep sense of their services. Especially his Honor would signify his appreciation of the firmness of Brigadier General Sir Neville Chamberlain, during the events of the campaign; and of the skill evinced both in his successful seizure before the enemy were aware of his design, of the Umbeylah position, and in his subsequent change of that position after much preparation for the one commanding the Sherdurrah Pass. His Honor greatly regrets that this distinguished officer was wounded when leading the troops to the recovery of one of the pickets. He was relieved by Major General Garvock, who directed the victorious attacks on Lalloo and Umbeylah, and to whom, as having promptly supported Major James' proposals, the Lieutenant Governor owes his best acknowledgments. His Honor also desires to mention Colonel Wilde, C.B., commanding the corps of Guides, who superintended the blockade of the Jydoons, and during the campaign afforded General Chamberlain, both before and after his being wounded, the greatest assistance. Lieutenant Colonel Vaughan, commanding 5th Punjab Infantry; Major Keyes, commanding 1st Punjab Infantry; Captain De Bude, commanding Hazara Mountain Train; Captain Hughes, commanding Peshawur Mountain Train. Also, as formerly members of the Punjab Irregular Force, though now serving under the Commander in Chief, Lieutenant Colonel Probyn, V.C., commanding 11th Bengal Cavalry; Major Brownlow, commanding 20th Native Infantry.

122. The above-mentioned officers have, during the recent campaign, well maintained the reputation of the military school in which they were trained, displaying eminently, in their several capacities, the high qualities indispensable to the effective leading, under difficult circumstances, of native troops.

123. They, and others, were rewarded by the staunch adherence of those troops, whether Sikhs, Punjabee Mahomedans, or Pathans. The Governor General will not fail to discern that the Pathans fought under trials and temptations foreign to ordinary warfare.

124. The Lieutenant Governor wishes to record his grateful acknowledgment of the valuable services performed by Major James, C.B., Commissioner of Peshawur, during the events under notice. In his prompt recognition of the true position of the force, his active and intelligent measures to break up the confederate tribes, his earnest appeals to General Garvock (who willingly complied with them) for an immediate advance, and his successful attainment of all the results of victory, Major James has rendered very important services to the Government. A residence of 13 years on the Peshawur frontier, and a continuous study of the politics of the tribes, had qualified Major James, in a peculiar degree, for their performance.

125. Colonel Reynell Taylor, C.B., is also in the opinion of the Lieutenant Governor deserving of the thanks of the Government. There was little opportunity for negociation prior to his being relieved, but he latterly held a prescient view of the eventualities of the situation; and whilst the force was acting on the defensive was personally much exposed. He was with General Chamberlain when that officer was wounded. Colonel Taylor has prepared a useful sketch of the Mahábun country and Chumla Valley.

Major Coxe, Deputy Commissioner of Huzara, had, during the campaign, a responsible charge in providing for the protection of Umb, which was frequently threatened. His duties were performed with ability, and in a manner perfectly satisfactory to his Honor.

126. The Lieutenant Governor would further mention Captain Munro, deputy commissioner of Peshawur, who accompanied the force.

Lieutenant Huddleston, who remained in charge of the Peshawur district, and showed sense and coolness when excitement prevailed in the valley.

Lieutenant Sandeman, who had charge of the levies.

Also:

Ajab Khan, and Azíz Khan, the chiefs of Sudhoom, and the native officers and chiefs mentioned in the concluding clauses of Major James' report.

127. Lastly, the Lieutenant Governor desires to acknowledge the cordial support which he received from the Commander in Chief from the time of his Excellency's arrival at Lahore.

Difficult position of the Lieutenant Governor.

128. During the events which have been reported, the Lieutenant Governor was placed in a position of unusual difficulty. The Governor General, Lord Elgin, was in a dying state, in the interior of the hills, cut off from telegraphic communication, and unable to transact business. His Honor was, therefore compelled to act solely according to his own judgment. His great object, in accordance with the declared policy of the Government, was to prevent the extension of military operations in the hills, and to bring the campaign to a rapid conclusion. In the measures on which he determined, he had the constant advice of Colonels Durand and Norman, the Secretaries to the Government of India, and of his own secretaries, Mr. Davies and Captain Black. The Lieutenant Governor accepts the entire responsibility of his own acts, but he feels indebted to the officers above named for their valuable suggestions and cordial co-operation at a time of great difficulty when he was forced to act alone. At a later period, after Lord Elgin's death, his Honor enjoyed the firm and generous support of Sir Robert Napier, K.C.B., who temporarily held the Governor General's office.

From Colonel *Reynell Taylor*, late Commissioner Peshawur, to *R. H. Davies*, Esq., Secretary to Government Punjab, dated Abbottabad, 21 January 1864.

WITH reference to your letter, No. 899, of the 15th of December 1863, I beg to furnish the following detail of occurrences from the 14th of September 1863, the date on which, I believe, my report,* No. 165, of the 11th of September 1863, recommending an expedition against the Sittana fanatics, was received in your office, up to the 19th of November, when I made over charge to Major James.

See page 44.

2. On the 23d September, I proceeded to Murree, and there attended several conferences on the proposed expedition, at which his Honour, the Lieutenant Governor, presided, and Brigadier General Sir Neville Chamberlain was present.

3. You are aware that, in my letter above quoted, I had proposed as the programme of the expedition that the cantonments of the fanatics at Mulkah and Sittana should be destroyed, the Jydoons and Otmanzais punished, and the Black Mountain coerced.

4. As these operations would be carried out in tracts of country that had been previously traversed by our troops, excepting in the case of Mulkah and the head of the Jydoon country, both of which, however, were believed to be well within our reach, the plan of campaign proposed may be said to have comprehended no more and no less than the exigencies of the case made absolutely necessary. Whether it was in all points as practicable as it appeared, and whether it was calculated to be satisfactory and lasting in its results are points I shall subsequently examine and remark on.

5. On or about the 28th of September, a letter, No. 639, of the 24th September 1863, from the Secretary to the Government of India, Foreign Department, a copy of which was subsequently forwarded to me, was received by his Honor, the Lieutenant Governor, conveying the sanction of the Supreme Government to the expedition.

6. A previous

6. A previous telegram, of the date of which I am unaware, had conveyed intimation that this sanction would be accorded.

7. The letter of the Supreme Government contained an expression of his Excellency the Viceroy and Governor General's views as to what should be the objects of the proposed expedition, and what appeared to Government to be the best means of carrying them out.

8. It was apparent, from these instructions, that his Excellency the Viceroy, in studying the map of the tract to be invaded, had been struck by the comparatively insulated position of the Mahabun mountain and its valley, and that this had given rise to the view that we ought at once to insist on the exclusion of the fanatic colony from the whole triangle between the Chumlah valley, Indus river, and the plains of Eusufzai, taking engagements from the tribes inhabiting it not to re-admit its members after expulsion, and, if possible, inducing them to seize and give up the fugitive fanatics after our troops had dispersed them.

9. I note that this was a considerable extension of the original programme. I had proposed dealing with the fanatics, the Jydoons and Otmanzais, two tribes on the southern face of the Mahabun mountain, and only with the Amazais to the extent of destroying the Hindoostanee cantonment of Mulkah, which was situated in their lands.

10. The scheme ruled by the Supreme Government in the letter under notice (only as far as it was practicable, of course), extended the operations to the outposts held by the Hindoostanees in the northern extremity of the Chumlah valley, and proposed further that we should take agreements from the Amazai and Muddahkhail tribes (these being the principal tribes of the tracts), with whom we had previously had no dealings, and with whose strength and character we were, in consequence, not fully acquainted.

11. I note these points, merely because I think there will always be danger, in these mountain expeditions, of our undertaking too much at first, being insensibly led on by the desirability of coercing tracts of country which appear geographically within our grasp, but the conquest of which may require more exertion, as to means, than has been in the first instance contemplated, when, perhaps, only the punishment of some recusant section or neighbouring clan was advocated.

12. In the present instance, I cannot but remember that when I took charge of Peshawur, the Jydoon clan alone was considered very strong, as it really is, and that a considerable force would be required for its coercion. We subsequently set about the coercion of the whole of the Mahabun tribes, that is the Jydoons, plus the Amazais and Muddahkhail, with a large back-ground of possible sympathizers in the northern Indus tribes, some of whom were committed to the quarrel, and aided by a band of desperate men in the Hindoostanee fanatics, to whom the struggle was one for existence; and all this we undertook with an expeditionary force of only ordinary strength, sufficient, I know, to deal with the whole of the tribes put together in fair ground, but not sufficient, as the result proved, to march anywhere and everywhere, and command its communication, supplies, &c., in valleys nested among the spurs of a mountain as lofty as most portions of the main ridge of the Alps.

13. I think it worth while to draw attention to this point, because I know it to be so difficult to keep one's own judgment steady in these matters. In the present case, we were insensibly led into greatly enlarging our scheme; and, if it is difficult for the local officers to avoid being led into undertaking too much, it must be still more so for the Governments that have to sanction and send out expeditions.

14. While the instructions of the Supreme Government were under consideration, the great desire, of course, being to carry out its wishes to the uttermost, Lieutenant Colonel Wilde, C. B., commanding the Eusufzai frontier, in a demi-official letter, dated September 29th, to the address of Brigadier General Sir Neville Chamberlain, Commanding Punjab Frontier Force, submitted a scheme for the campaign, the basis of which was that the Mahabun tribes should be turned by an advance into the Chumlah valley, by which means the force

should take up a position which, by cutting off their line of retreat, should compel the fanatics to fight or surrender; and, in the former case, should, by its commanding nature, coerce the Puthan tribes of the tract to the extent of forcing them to seize the fanatics and make them over to us after dispersion by our troops.

15. This plan of campaign presented many and great advantages. The entrance to the Chumlah valley was close to our own territory, and was reported easy. It was a known line of traffic for laden animals. The valley itself was known to be wide and open, fit for troops of all arms. It ran with an easterly slant from the head of our own Suddhoon valley to the Burrundoo river, touching it at a spot not far from the head of the Tunawul country, under our own control, on the left bank of the Indus; and thus, in effect, it lay at the back of the whole Mahabun tract. Further, it was hoped, with justice and on universal precedent, that the northern slopes of the Mahabun mountain would prove easier and more gradual than those on the southern aspect facing our Eusufzai plain, and which we could see to be very stiff. In the Chumlah valley, too, were placed those outposts of the fanatic colony which the Supreme Government had expressed a desire should be comprehended in the plan of operations.

16. The Chumlah valley was known to be inhabited by mixed classes—some of them settlers from our own Eusufzai plains, some from Bonair, others belonging to the Khoodookhail clan, who were known to be desirous to remain friendly with us; the rest being Amazais, who were in some measure implicated as enemies, from the fact of the Hindoostanee colony at Mulkah, and the Chumlah outposts and Nuggree water-mills being all situated in their territory.

17. The valley was not claimed by, or considered as under, the protection of any large clan; it was known to be divided from Bonair by a lofty range of mountains, called the Gurroo.

18. The Bonair people had no sympathy as a body with the fanatics, being of different tenets, and forming part of the religious constituency of the Akhoond of Swat, who was known to be bitterly opposed at that time to the fanatic body, the members of which he denounced as Wuhabees, coupling them with his especial rival, the Kotah Moollah, whom, with his disciples, he had not scrupled to stigmatise as kaffirs, *i. e.*, infidels, for certain heterodox theories opposed to his, the Akhoond's, rulings in matters affecting the Mahomedan faith. It was, indeed, known that the Sittana fanatics had on several occasions paraded detachments of men with standards, &c., from Bonair; but small importance was attached to the fact, as it was known to be their custom to purchase the services of idle tribesmen to parade them for their own purposes; and, had it been supposed that men had really been sent as auxiliaries by a portion of the tribe, it would have been considered that they must belong to the Kotah Mooliah's faction, and, therefore, be acting contrary to the general sense and politics of the tribes.

19. I think I am justified in saying that, although there had been rumours of overtures attempted on one side, nothing at the time was, to all appearance, so little probable as a coalition between the Akhoond of Swat and his adherents, and the Hindoostanees.

20. The prospect held out then by the Chumlah route was, that in place of a painful and continued struggle over the steep southernly spurs of the Mahabun mountain, the force would be able to take up a position in open ground, in rear of the whole tract, which it would fully command, and from whence, by rapid excursions, it would be able to do all its work, and deal with all its difficulties, returning, when convenient, to its standing camp in the Chumlah plain; while it was obviously, and, as experience proved, justly argued, that such a position would render the tribes on the southern slopes well nigh powerless, as their whole position would be stopped, putting them at the mercy of an army which could descend upon their strongholds, and thus carry out its ends with irresistible advantage.

21. Viewing it by the light of the results, I do not hesitate to say that the whole of the arguments used in favour of the adoption of the route by the Chumlah

Chumlah Valley, for the coercion of the Mahabun tribes and fanatic colony, were correct. The difficulty subsequently experienced in the first seven miles from our own plains does not shake this opinion in the least. That the extreme neck of the Chumlah Valley became a difficulty, was attributable to other causes than its own natural features, which were no worse than we have had to deal with before, and must expect to have to deal with again, in the necessary but troublesome task of exacting respect from the warlike tribes of these rough mountains.

22. I think the result has certainly brought to light two errors—first, that the task we undertook was one that, with reference to the stiff nature of the country, the strength of the tribes, and the absolute necessity of keeping open our communications with the plains, required, or might require, a larger force than had been prepared for it; and thus that, having enlarged our programme, we should have been more prepared than we were to enlarge our means.

23. The second miscalculation has only been made manifest by the result, and can only be of use as experience for the future. It consisted in a too confident dependence on our imperfect means of judging as to what would be the course pursued by a Puthan tribe in new and, to it, unexpected circumstances. It has been shown by our experience in this case, that it will not do to rely on the general impression of the country, or on common sense views, as to what we consider that the tribe leaders would wisely do. All such prognostications are liable to have a rough upsetting when we encounter classes of men ignorant of our ways, prejudiced against our religion, taught by their priests and all around them to dread our first encroachments, brave, warlike, impulsive, inexperienced as to our military power and resources, but with gallantry and recklessness easily worked upon by those whose interest it is to induce them to take up arms, when the cry is "*pro aris et focis.*"

24. Thus we must accept it as a fact, that no previously known prejudice or declared animosity against a neighbouring class or tribe can be reckoned on to prevent a tribe moving when the general privacy of the hill tract is invaded. It is a cause that all will, or may, move in if it suits them, and especially if, as in this case, the religious cry be added, the probability of their doing so is of course greatly enhanced.

25. The Bonair tribe had always been a peaceable one, and for 15 years had never given us any trouble. They were known to be great traders, and that was nearly all that was known of them; for their leaders and tribesmen had come so little in contact with us, that neither did we know them, nor did they know us, except by common report, which perhaps is not usually favourable to us.

26. I myself had no knowledge of the clan. In former years I had seen the Swattees fight at Pullee, and they did not distinguish themselves. I was inclined to class the Bonairs with them. During my two years' incumbency in the Peshawur division, my attention had been taken up with Herat, the Afreedee and Hushtnuggur border, a portion of Loondkhor, and the Sittana fanatics; nothing had drawn it to Bonair. When I thought of the clan, it was as of one which had no connexion with the troublesome classes on other portions of the border, and wished to have none.

27. When, therefore, it became apparent that the route proposed for the force would take it only through a valley adjoining Bonair, but divided from it by a range of mountains, our professed and known object being to punish a body of men whom the Akhoond, the religious leader of the Bonair people, had denounced, and expressly declared that he would not aid or support, the contingency of the Bonair tribe taking up the cause seemed scarcely, as the expression is, "on the cards;" and, though occasionally discussed, it was dismissed as highly improbable. It was, under the circumstances, impossible to examine the proposed route by questioning those of our own territories best acquainted with it, without raising suspicions as to the line we proposed to take in entering the hills; and, for the same reason, it was not advisable to consult the Bonair jirgah, or tribe council. Had we questioned our own Suddhoom chiefs, the men who knew most about the clan and the Chumlah Valley, it is little to be doubted that an inkling obtained by them of our intentions, would

assuredly have been communicated to Bonair and Chumlah, and the result, we knew, would have been a serious opposition to our first day's march, which we believed would not be raised, or if suggested, would be abandoned as useless, when we had cracked the nut by passing the defile, and placed ourselves in the Chumlah Plain.

28. In the above remarks, I have forestalled my explanation of the difficulties that attended even a hasty examination of the route we were about to take.

29. Before returning to a narrative of events, I may say in brief that it appeared at the time to suffice that the Chumlah Plain could not be above 10 miles from our own Suddhoom Valley, and that the road that intervened was known to be one of general traffic, and was reported commonly in the country as open and easy. In front of our camp at Swabee stood up before us the great unbroken backbone ridge of the Mahabun Mountain, with rough steep spurs descending towards the plain. This difficult country must be entered somewhere. It was a prize to have found a route by which the whole could be turned, and our task be accomplished by occupying country in which our troops would be so placed that they would be as strong as on our own plains, and therefore be able to deal with numerically vastly superior bodies of the hill tribes. Under these circumstances, and filled with this hope, it would not, in the temper we were in, have been a few obstacles in the shape of brushwood on the roadway of the pass, or a few rough hills at the crest, or even the possible dissatisfaction of Bonair—which we should have hoped easily to have overcome—that would have upset or modified our belief that the very best plan of operations had been hit upon.

30. To return to the narrative. I have mentioned above that Colonel Wilde's proposition was received at Murree about the last day in September. It was read out in conference, examined by the map, and on all military grounds thoroughly approved. In its political aspect, there was nothing objectionable; and, if I say here that, of all officers, the Commandant of the Guides, resident at Murdan, would have been perhaps the most likely to know if the character of a tribe on that border was decidedly hostile to our Government, I must not be supposed to wish to avoid an atom of responsibility myself, by throwing it on others. All I wish to show is, that the general feeling was opposed to the idea that the people of Bonair would move in the quarrel.

31. Lieutenant Colonel Wilde had carefully noted in his memorandum certain points which would require the opinion of the political officers. Among these I note, as bearing upon the case:—

> III. Will the people of Bonair cross the Gurroo range to attack the British camp in Chumlah?
>
> X. Is the Umbeylah Pass easy of access?
>
> XI. Is the Chumlah Plain large, and well adapted for military operations?
>
> XII. Can communication be opened from Cherorai with the Hazara district?

On most of these points, Colonel Wilde, in his letter, had given favourable opinions, but on me devolved their confirmation.

32. I remained at Murree on duty till the 3d October, his Honour the Lieutenant Governor deeming it of use that the Brigadier General who was to command the force, the chief political officer, chief engineer and commissariat officers, should arrange all matters together before separating. The 4th October was a Sunday; and, on the 5th, I came down to Abbottabad in one day. The 6th was employed in arranging some division matters. On the 7th, I despatched Captain Munro, Substantive Deputy Commissioner of Peshawur, to the camp at Swabee, directing him to make all inquiries compatible with secrecy, regarding the proposed route by the Umbeylah Pass, and marched myself for the upper part of the Indus, being especially and hopefully desirous of investigating the point mooted in Colonel Wilde's 12th question, above noted.

33. I have

33. I have said that I was hopefully anxious on this point. My meaning will be clearly understood by a glance at the Peshawur district map. Colonel Wilde was, by his information, very confident that a force could without difficulty reach Cherorai. My hope was that a feasible exit for it, by the line of the Burundoo, might be found, which would enable us, after fully dealing with the Mahabun tribes, to cross into our own territories without the necessity of retracing our steps, holding ground in our rear, &c. The effect of this power would have been most valuable, and further, as the Black Mountain was part of our programme, if time and season permitted, the power of bringing a successful army to the plateau immediately in front of it, would have in a manner been the crowning triumph of the route by the Chumlah Valley.

34. If I was induced by the hope of these advantages to place the examination of the exit of the Burrundoo before that of the entrance by, what I conceived to be, the well known Umbeylah Pass, in the scale of importance, I think the error in judgment was a pardonable one, and also one that I should be likely, in similar circumstances, to commit again; the effect of a force marching through a country is so much greater than where it has to keep open its communications, and return by the same route.

35. On the 7th October, I took sketches of the whole river board from Bultheree below Sittanah on the Indus, to the exit of the Burrundoo river, opposite the Umb out-post of Chumlah (*see* map), on the left bank. The effect of this examination was to dash all hopes of our being able to bring the force through by the Burrundoo route; and I believe that the sketches that I made convinced Brigadier General Chamberlain of this, and set the matter at rest, which may have had its use. The sketches also shewed features which were recognisable by the surveyors on the other side, and furnished them with names and bearings.

36. On the 10th October, I reached Torbelah, and on the 12th, the camp at Swabee. Here I found Captain Munro, with Lieutenant Sandeman, and the extra Assistant Atta Mahomed Khan, the latter a very intelligent native official, who had long been employed by Lieutenant Sandeman in examining the routes through the Mahabun tract, and that by the Umbeylah Pass among others. All the accounts obtained by these officers confirm the opinion expressed by Colonel Wilde, and in fact the general report was clearly that the Umbeylah Pass was easy as to roadway, and presented no military obstacles; that the Chumlah Valley was wide and open, and the northern slopes of the Mahabun easier than those on the southern face.

At the head of the Tunawal country, on the left bank, I had made inquiries, the result of which tallied with the last two points.

I accompanied a reconnoitring party to Punjtar, and saw for myself that the southern face of the ridge was very stiff, and inquiry on the spot confirmed the fact of the Chumlah Valley being open and easy. The ridge which divided it from the Chingullee Valley looked the reverse of formidable, and beyond it one felt sure that there was open country. The Umbeylah Pass could not be mentioned from prudential reasons; for the same cause, I could not, as I wished, go and look at its entrance, but a number of men had been examined by my officers. The extra assistant had made a good map of the country, and was well up in every part of it. Captain Munro had put him and Lieutenant Sandeman through a careful catechising on all points. My mind was at rest on the subject, and I reported demi-officially to the Brigadier General that "all accounts received tended to confirm the perfect practicability of Colonel Wilde's plan of operations," and so they did, and correctly, too—the unexpected and violent opposition of the Bonair tribe was anticipated by none; without this element, the whole plan of operations would doubtless have been triumphantly successful, as our rapid march in strength into a valley in their rear would, probably have paralysed the Mahabun tribes, disabling them from organizing that resistance which their numbers, and the natural strength of the country, would, with leisure, have put within their power.

37. The question then is, ought we to have known that the Bonair tribe would throw themselves into the quarrel, and were there means available from which a correct opinion could have been formed? I wish to answer this clearly, and exactly in accordance with my mental view of the case, and in a manner that may be useful on future occasions.

38. There were certainly means available in the presence of the Suddhoom chiefs, who were connected with the Bonair tribe, but I have previously noticed causes which rendered it impossible to make use of them; but, further without directly questioning these chiefs, my belief is that with leisure for it, by general conversation with them, and by indirect inquiries elsewhere, I should have arrived at the opinion that the tribe would oppose our making use of the Chumlah route, and also that their opposition, if roused, would be serious.

39. But with regard to this, I must urge that time did not avail, while the feeling in favour of secrecy regarding the route to be taken was so strong, that the danger of being the cause of a formidable gathering of all tribes to oppose our first day's march, was a natural deterrent to any inquiry which might raise a suspicion as to the route we were about to take. The Brigadier General thought it worth while to make a feint of reconnoissance on another route *viâ* Puntjar, in order to mislead the tribes as to our real intentions, and he marched eventually rather before he deemed it necessary or expedient from season or the state of preparation, because he feared that in some way the line we were about to take might ooze out, and the result be a severe fight in the entrance pass, which we knew to be the only difficult ground between us and a plain as good as that of Eusufzai.

40. It is needless to say that where the wish for secrecy is so strong, it is impossible to discuss the route of an army, and the probabilities of opposition, on a line which has never otherwise been hinted at, with men intimately connected with the tribes concerned.

41. Even if we had known that the people of Bonair would be discontented, and inclined to resist our marching by the Chumlah Valley, I think it doubtful if it would have turned us from our purpose. No one would have spoken of the Bonair tribe as the equals of the Afreedees or Wuzeerees, with whom our troops had dealt. The strength and spirit of the tribe was unknown, because it had never been called forth; in fact, what has since appeared to us remarkable in both of these points, has been, in a great measure, attributable to accidental circumstances, and they finally both gave way, when we were able to turn the tables on them and assume the offensive.

42. But the state of the case was, that we felt entitled to assert our right to punish this offensive colony of fanatics whenever we might find it, and whoever might take up the cudgels for it. Had the question of whether we were able to adopt the Chumlah route at will, notwithstanding the dissatisfaction of neighbouring tribes, been proposed to us, we should have been inclined to answer that, unless we were able to take the best and most efficient line for accomplishing our purpose despite all comers, we had better not undertake the task at all; as, when we entered the hills at any point, we must be prepared for the contingency of finding the fanatics backed by the whole of the Mahomedan tribes about them. In the case of Bonair, however, we should have had good hope of convincing them, when we had secured a commanding position in the valley, that we had no intention of molesting them, and of thus breaking away their opposition.

43. Still I do not mean to say, but that with time to give to it, I should have known more about the exact nature of the Umbeylah Pass, and, possibly, of the probable conduct of all the tribes in its neighbourhood. It is not, perhaps, known the very great amount of time and labour that is required for the examination of lines of route for an army through mountain tracts. I have above shown in this instance that time was not available, while other causes rendered a careful and accurate examination of the country (which cannot be carried out without endless canvassing of every 100 yards of ground by models in sand, &c.), out of the question.

44. I forward copies of the proclamations issued to the following classes, before the force entered the hills. These were forwarded by trustworthy agents to the tribe councils the day before we entered the hills:—

1. To the Jydoon tribe.
2. To the Bonair tribe.
3. To the classes of the Chumlah Valley.
4. To the Amazai tribe.
5. To the Muddahkhail tribe.

I may

I may briefly notice that the results of these proclamations were as follows:—

The Jydoon tribe immediately sent its chief men as a jirgah, which in such a case is a token of submission, to the camp at Umbeylah, and they remained with us during the rest of the campaign.

The Bonair tribe received the proclamation, and understood it fully, as acknowledged by the chiefs, but resented the route we had chosen, and threw itself into opposition.

The classes of the Chumlah Valley immediately came into our camp, bringing supplies, and continued to do so, whenever the pressure of Bonair and the other western tribes was relaxed.

The two Mahabun tribes, viz., Amazai and Muddahkhail, sided with Bonair, sent levies to the war, and eventually succumbed with that tribe, suffering it to carry out its engagements with us by the destruction of Mulkah, which is situated in their territory.

45. On the 18th October, the force moved from Swabee to Nowakillah, a portion moving on the same day to the mouth of the Durum Pass, to keep up the idea that we were going to make use of the direct route by Chingullee, and the Khoodoo Khail country, to Mulkah.

46. On the night of the 19th October, at 9 P.M., an advanced column, under Lieutenant Colonel Wilde, C.B., marched from Nowakillah to the mouth of the Umbeylah Pass. I accompanied this column, which it was intended should pass through the defile, forcing it if necessary, and penetrate to Umbeylah or Kogah in the Chumlah Valley.

We arrived in front of the pass before daylight, and halted for the dawn. Our own village of Soorkhawee is situated within the mouth of the pass. I took the mullicks of this village with me, and went on to a point from whence I could command a view of the whole pass, which they persisted in calling easy, open, and of short length. I could, however, see that, from certain features, it was a difficult defile in a military point of view, though to all appearance quite practicable.

The mullicks of Soorkhawee said, significantly, that it was easy to go up the pass then and there, but that the next day it would be more difficult, meaning that we should be opposed; and rumours soon reached us, brought down by the graziers of cattle, that the head of the pass was occupied by the people of Bonair, in what numbers we were unable to ascertain.

47. Colonel Wilde resolved on forcing the pass at once; his arrangements were rapidly made, and the column moved on. The roadway, though in itself not difficult, was found to be in places overgrown with brushwood, and overhung by trees. This was not felt by the infantry and mountain trains of the advanced column, but subsequently proved a serious cause of detention to the baggage.

48. It was not possible to ascertain the extent of the opposition awaiting us at the head of the pass; and, as we pressed on, and the highly defensible nature of the crest became apparent, it was a matter of some anxiety to find out the full extent of the enemy's force. A stand was attempted to be made at two points, but the defenders were quickly dislodged and driven upwards towards the crest, by the 1st Punjab Infantry and guides, and eventually the comparatively few defenders that had been able to assemble on hasty summons were driven off, and Colonel Wilde's column took possession of the crest of the pass about 4 P.M. on the 20th October.

49. Brigadier General Chamberlain, hearing that some opposition had been offered, resolved to close up at once with the advanced column; and by dusk of the evening of October 20th, the whole force was assembled on the heights of the Umbeylah Pass.

50. I have thought it right to enter at such length on the political questions affecting the expedition, that I shall avoid all military details, which will have been fully reported on by the military commanders. The period from the 20th October—when the Eusufzai field force cheerfully set about its first bivouack, tearing down high branches of the pine-trees that had for ages sentinelled the rugged crest of the Umbeylah Pass—to the 19th November, when I made over charge of my duties to Major James, the substantive Commissioner,

immediately followed, as it was, on the 20th of November, by the third loss and recapture of the famous Crag Picket, and the severe wound and disabling of the vigorous and chivalrous leader of the force, was an eventful one; but its events, with few exceptions, were of an entirely military character, and I should not think it necessary to notice them, but that I think it possible that, under the circumstances of the force being immediately under the direction of His Excellency the Commander-in-Chief, his Honour the Lieutenant Governor may not in other ways have received an official detail of the principal incidents of the campaign. I, therefore, proceed to note them, in order of occurrence, and shall then pass on to points where the political management may be said to have been concerned.

51. The principal military events of the month were the attack made on the reconnoitring party, which had proceeded on the 22d of October down the Chumlah Valley, under Colonel Alexander Taylor, the chief engineer officer attached to the force. This occurred near the village of Umbeylah, in the Chumlah Plain. It was repelled by the cavalry under Colonel Probyn, who inflicted considerable loss upon the enemy. After this, the forces of the Bonair clan followed Major Brownlow's regiment, which formed part of Colonel Taylor's escort, up the gorge, and up to the front of camp, making a regular attack on camp, which they continued till midnight, when they were finally beaten off. Lieutenant Gillies, of the Hazara Mountain Train, was killed in this attack.

52. On the 25th of October, the Mahabun tribes and the Hindoostanees joined the Bonair tribe. A general attack was threatened, but only fully carried out on the right heights, where Colonel Wilde, C. B., was commanding, and Major Keyes held the advanced pickets. The attack was completely repulsed, and the enemy were driven with loss down the slopes towards Lalloo. The Mahabun tribes were so disgusted by this reverse, that they trooped off the same day down the valley to their homes, and did not rejoin the war for some weeks.

53. On the 26th of October, a formidable attack was made, chiefly by the Bonair tribe, aided by the Hindoostanees, on the pickets on the Gurroo Mountain, commanded by Lieutenant Colonel Vaughan. This attack, which was continued throughout the day, was sustained with great resolution by our line of pickets. The enemy were in great strength, and had superior ground to fight from, which commanded our position on the mountain; but they were driven off in every attempt. The resolution displayed by the enemy was very great, many being killed on the slopes of the chief picket, afterwards well known as the Eagle's Nest. It was in defending this, the chiefly-assailed point in our line, that a most gallant young officer, Lieutenant Richmond, of the 20th Punjabee Regiment, and an equally brave one, Lieutenant Clifford, were killed. The 6th Punjab Infantry, under Captain Hoste, made a successful charge, driving the enemy for a considerable distance up the hill. The effect of this fight was so great, that never again did the enemy attempt this line of pickets, though it was to all appearance our weakest point. I have always been of opinion that the whole force owed a debt of gratitude to the defenders of the Gurroo pickets on that day; and it was a position that, if lost, could not have been recovered, without at any rate great sacrifice.

54. On the 28th of October, the Akhoond of Swat, with a large party of men from that country, joined the enemy.

55. On Friday, the 30th of October, the enemy attacked us in force, both on the right heights and up the gorge. A brave attempt was made to assault the 9-pounder battery in the gorge, some of the assailants being killed within it; but the assault was quickly repelled. The 5th Goorkhas charged and drove the enemy down the slope. On the right heights, Colonel Wilde lost for a time the Crag Picket, which had at first been only slightly garrisoned (this was the first occasion of its becoming notorious); it was held on this day only by a havildar and small party, who were surprised by the enemy. Major Keyes, with the 1st Punjab Infantry, subsequently recaptured it, killing a large number of the enemy, chiefly Hindoostanees. Sixty bodies of the enemy remained on this occasion on the rocky slopes of this much-contested point. Major Keyes was himself wounded in this action—losing two fingers, but continued to do his duty

duty. By ten o'clock, A.M., the enemy had been driven off at all points; and the effect of their defeat was so great that they proceeded at once to the Umbeylah village, and from thence carried off their great priest, the Akhoond, in perfect flight, to the other side of the Bonair Pass; and he was, in fact, in full retreat to Swat, when he was overtaken by the Bonair chiefs and induced to return, as they represented that if he deserted them their country would be lost.

56. Between the 30th of October and the 6th of November, another Swat chief, Sohbut Khan by name, joined the enemy with a following of about 600 men.

57. On the 6th of November occurred the affair of the covering party for the road works, in which Major Harding, who commanded, and two other officers, Lieutenants Murray, Her Majesty's 71st Regiment, and Dougal, 79th Highlanders, fell. I have examined the position which was the scene of this fight. I believe the mishap to have been caused in great measure by Major Harding's chivalrous determination not to desert his wounded, and the fact that he was, till too late in the day, unacquainted with the nature of the ground above him, the upper part, in fact, of the ridge which he himself occupied, and up which it had been intended that he should retire. To assist him in doing this, the whole ridge had been grasped by detachments, which, however, as the day wore on, were themselves constantly engaged with the enemy, who were perseveringly striving to head the ridge. This rendered it impossible for the troops on the upper part of it to descend to the assistance of Major Harding's detachments; but it seems clear, that he might, earlier in the day, have retreated up the ridge; and probably would have done so, had he known the ground and the position of the detachments above him, as the working party on the road had been withdrawn as early as one o'clock in the day, and he had been apprised of this, receiving orders to withdraw his party. Probably, however, with the object of making sure of his line of retreat, he first went up the ridge alone, and saw the position of all the detachments holding it. This was, I believe, at about 2 P.M. He then returned to the lowest detachment, and probably found it so involved with its assailants, that he deemed it unadvisable to attempt to withdraw, encumbered as he was with dead and wounded, whom he would not desert. When day began to wane, and no movement appeared to be made by the engaged detachment, the 4th Goorkha regiment was sent direct, *i. e.*, across the ridges, to join and bring it off, or help it to arrange for its defence during the night. It was on seeing this regiment approaching, that Major Harding finally resolved on retiring. I saw the detachments myself fall in very steadily for retirement and move off, a portion being engaged all the time with an enemy we could not see. After the detachment had passed out of our sight, the enemy appear, by a rush, to have broken in between two of the detachments. Major Harding had been previously shot through the neck, and was being carried by a Goorkha sepoy. He and Lieutenant Dougal were killed at this time. Lieutenant Murray had been killed in the fight on the ridge, at an earlier hour, and it was the reluctance he felt to relinquish this officer's body, and his wounded, that induced Major Harding to hold on to his position till it was too late to retire from it. This was the first thing in the shape of a success that the enemy had had. They had forced a detachment to retire, and had inflicted some loss on us; and, of course they made the most of it, and I think its effects were visible in the increased spirit with which they subsequently fought. I have found it impossible to pass over this event without more detailed notice than accorded with my plan. Major Harding was mourned for by all who knew him, and a peculiar grace and interest hangs over his death, incurred as it was from such chivalrous feeling. Sohbut Khan's party of Swattees, assisted by some of the Mahabun tribes, were the assailants on this occasion. The chief Mullick of the Muddakhail tribe, Humza Khan, was shot through the body, and died of his wound.

58. On the 9th of November a large body of Bajouries, under Zeman Khan, son of Fyztullub Khan, the Bajour chief, joined the enemy.

59. On the night of the 12th November, the Crag Picket was assailed in force, repeated attacks being made on it during the night; all these, however, were

repulsed with quiet determination by its defenders—a detachment of the 20th Punjab Infantry under their own commanding officer, Major Brownlow. This defence of the Crag Picket throughout the night of the 12th October, in the course of which the enemy suffered severely, was, I think, most creditable to the troops concerned.

60. On the 13th November, the Crag Picket was, about noon, assaulted and carried by the Bonairs under Zydullah Khan, one of their leading chiefs. Captain Davidson, 1st Punjab Infantry, who was then in command of the picket, was killed at his post; and the position was for a time in the hands of the enemy, who thus commanded the plateau below, occupied by the 1st Punjab Infantry, a portion of Major Brownlow's regiment, and Captain Hughes' Peshawur Mountain Train, all of which bodies suffered severely from the fire of the lost picket. The whole of the front line of pickets on that day were under the command of Major Ross. The 1st Punjab Infantry occupied the plateau immediately below the Crag Picket; Major Keyes held his ground firmly on the plateau; and, in order to show front till assistance could be received, organized an attempt to recover the lost picket. Lieutenant Pitcher, 1st Punjab Infantry, proceeded on this rather desperate duty; the body of men that could be hastily collected from the front defences, for the enterprise, was not equal to the task. Lieutenant Pitcher, after behaving most gallantly, and having reached with his little party the rocks at the crest of the long steep, received a severe wound which disabled him, and the attempt failed; but the detachment he had led up, aided by others pushed up by Major Ross from the plateau, held their grasp of the slope of the Crag, on the camp side, till it was retaken. Colonel Wilde, who commanded on the right heights, immediately made arrangements for the recovery of the lost picket.

61. The Brigadier General had himself seen, from the camp below, by the cloud of dust and the rush of camp followers, that some reverse had occurred; and, before accurate intelligence had reached him, had hurried up Her Majesty's 101st, under Colonel Salusbury, to Colonel Wilde's assistance. The regiment reached the distressed plateau from the lower camp, a very severe ascent, in a wonderfully short time, and, being led on at once, they speedily stormed and retook the lost position.

62. On the 18th November the army changed position. The Gurroo Mountain, which had been so triumphantly held, was abandoned, and the whole of the force took up a new position on the right heights, thereby commanding the new line of communication *viâ* Shere Durrah, which the Brigadier General had resolved to adopt.

63. The retirement from the valley to the right heights was accomplished in a most masterly manner. The pickets were withdrawn from the Gurroo Mountain without a shot being fired, and before, in fact, the enemy were aware of what was happening. They subsequently awoke, and probably believing that we had commenced to retire altogether, made a determined attack upon two lower pickets, not absolutely necessary to our new position, and which it had been the intention to abandon at the close of the day when the army should have settled down into its new encampment. The positions of these pickets were rather advanced, and exposed to be taken in flank, and they were from natural features not easily defensible. Major Ross commanded at this point, and some very severe fighting ensued, in which we lost four officers killed, viz., Captain Smith, Her Majesty's 71st Highlanders; Lieutenant Jones, Her Majesty's 79th Highlanders; Lieutenant Chapman, Adjutant, Her Majesty's 101st, an officer previously much distinguished and greatly regretted; and Lieutenant Moseley, 14th Ferozepore regiment. Eventually these lower pickets had to be abandoned, the force confining itself to the stronger ground above. The enemy on this occasion were incited by the hope that we had commenced to retire, and fought very bravely. They also suffered very severely. Major James arrived in camp while the fight was going on.

64. On the 19th, Captain Aldridge, of Her Majesty's 71st, was killed at the front line of defences. On this day I made over charge to Major James.

65. On the 20th, the enemy, after attacking the Water Picket all the morning, suddenly assaulted and again gained possession of the Crag Picket, which had to be

be again recovered by assault; this rough duty was, on this occasion, gallantly performed by Her Majesty's 71st, led by their commander Colonel Hope, who, with his serjeant major, was the first to enter the work. On the side on which he went in, Brigadier General Chamberlain accompanied the attack, and when near the crest of the slope received a severe wound, which, though it did not prevent him pressing on and entering the work at the time, subsequently obliged him to relinquish the command of the force. The 5th Goorkhas supported on the left, and detachments of the 5th and 6th Punjab Infantry were present, and an officer of the former regiment, Lieutenant Beckett, was, I believe, the foremost to enter the work on the left. There being two distinct divisions to it, the enemy were driven out, and followed for some distance along the ridge, suffering great loss.

66. This action seemed to have a depressing effect upon the enemy, notwithstanding that they had gained a temporary success and had wounded our general, which last injury it would have been natural for them to make and think a great deal of; but, on the contrary, from the 20th November to the 15th of December, when we assumed the offensive, they made no further attack in force, and at one time their gathering had dwindled so much that there appeared a possibility of their giving up the game altogether. In the course of this interim, also, we received efficient reinforcements in the arrival of Her Majesty's 7th Fusiliers, 93d Highlanders, 3d Seikhs, and 23d Pioneers. About the 12th December, however, the enemy received large reinforcements. Fyztullub Khan, of Bajour, came in person with large levies; and Ghuzun Khan, of Dheer, whose threatened advent had been so often reported, appeared in the field, bringing 7,000 fresh men to the war.

This completes the rough detail of military events from the 20th of October to the 20th November, the period with which I have concern. I have now to furnish the political history of the same period.

Political Events from the 20th October to the 20th November 1863.

67. Two prisoners had been taken in forcing the Umbeylah Pass. One proved to be a Bonair mulick, of Regee; the other, who had been shot through the body, was a peasant, also of Bonair. I immediately examined these men, and, after explaining the case to them, and pointing out the inutility of the Bonair people taking up the quarrel of the Hindoostanees, I released them, telling them to go and allay all anxiety regarding our intentions, and bring us supplies from the Chumlah villages.

68. The Bonair mullick returned next morning, with the mullicks of Umbeylah and Kogah, in the Chumlah Valley, who brought fowls, goats, &c., and professions of a full intention to assist the force; and in this manner the mullicks of all the principal villages of the Chumlah Valley subsequently came in, all bringing offerings of fowls, &c., which, however, I took care to have paid for. I may mention that at first we thought the feeling among the Chumlah mullicks so good that we proposed to them to provide a certain number of days' supply for the force, and some of them set earnestly about the task of collecting grain. All these favourable symptoms not unnaturally received a check when Bonair threw itself into opposition.

69. In reply to my message to the Bonair chiefs, I received first a letter signed by two chief mullicks, Zydullah Khan and Nawab Khan. In this missive, the language and writing of which made it scarcely intelligible, they complained of our having made use of the Umbeylah Pass; but, as well as the contents could be understood, they appeared to say that we were at liberty to follow our own enemies, and they would only be prepared to defend their own territory should we turn upon it.

70. I subsequently received a message from the above two Khans, who were at that time sitting on the Bonair Pass with the tribe gathering around them, to the effect that, if trustworthy men were sent to them to explain matters and fully satisfy them that our intentions as regarded their country were honest, they would relinquish opposition and take away the Bonair troops. Here I encountered a difficulty I have not previously alluded to. It was one that for a long time paralysed the usefulness of the Suddhoom Khans, who underlay in the minds of the Bonairs the suspicion of having secretly instigated our

march up the Umbeylah Pass. Azeez Khan, of Suddhoom, was the only chief in camp who could perform the duty; his brother, Ajub Khan, was absent on duty in the Soorkhawee Pass; but Azeez Khan had an insuperable disinclination to undertake the task, being, I think, really apprehensive that the offence taken at our having come by the Umbeylah Pass might be visited on him, as the people of Bonair would not unnaturally suppose that he and his brother were at the bottom of the course pursued. I did not feel it right to insist upon his undertaking the duty, and therefore was obliged to be content with his sending a trustworthy agent of his own, whose presence and representations could not, I was aware, be as effective as those of his principal would have been.

71. At this juncture, I will mention a document which fell into my hands at that time. It is genuine, and its receipt was subsequently acknowledged to me by the chief addressed, Ahmed Khan, of Buggrah.

72. The paper was a letter from Moolvie Abdoolah, the military leader of the Hindoostanees, and Syud Omran, uncle of Mobarik Shah, addressed to the above chief of Bonair. I append a translation of this document, as I think it was calculated to have an important effect at the time, while it illustrates the dangerous and mischievous influence which the presence of a body of fanatics, headed by a clever designing man like this Moolvie, must exercise among an excitable population like that of these mountains.

73. You will observe that the predictions contained in this letter, almost word for word, anticipate portions of our proclamations; and one can easily imagine how, after its receipt by the Bonair Khans, our march up the Umbeylah Pass, and professed absence of intention to molest Bonair and Swat, must have roused the worst suspicions in the minds of the Bonair people, who had thus been distinctly warned that we should, with the hope of obtaining easy access to the hills, make these professions, cherishing all the time the distinct intention of laying waste Chumlah, Bonair, and Swat, and annexing them to our own territories.

74. This letter is not dated. I received it about the 22d of October, before the open rupture with Bonair, and it mentions the assembly of troops in Eusufzai, so it was evidently written before the proclamations.

75. A stranger to the ways of these people would argue from the tone of the letter, that there must have been an excellent previous understanding between the writers and the chiefs addressed; this is, I believe, quite an unnecessary inference. It is the desire, for obvious reasons, of this colony and its leaders, to represent themselves to all the country as the peculiar custodians of the faith, and devoted supporters in war, of all the tribes with whom we are liable to come in contact. The tone, therefore, of this letter, written at what was assumed to be a time of common danger and difficulty, is wholly compatible with the fact of the Bonair tribe having previously held coldly aloof from the affairs and proceedings of the colony.

76. On the 22d of October, the Brigadier General sent out a reconnoitring party to examine the road down from the crest of the pass into the Chumlah Valley; working parties were to accompany and improve the portions of the road that required it.

77. The onward movement of the force had been delayed by the detention of the baggage in the Soorkhawee Pass, the cause of which I have previously alluded to. The Bonair tribe were, as I see I expressed it in a demi-official letter to his Honor the Lieutenant Governor's address, "hanging in the wind." The intention was only to reconnoitre as far as Kogah, the mullicks of which place, with those of the whole Chumlah Valley, had come in or were on their way into camp; and in some ways it appeared advantageous to show the Bonair people, who were on their pass, that our direction was in another way than towards the entrance of their country. We did not even then think that Bonair was about to prove our real difficulty; let the error go for what it may, this is the fact.

78. Lieutenant Colonel Taylor, C.B., the chief engineer, went in command of the party, and I deputed Lieutenant Sandeman to accompany him as civil officer. The latter was accompanied by the Suddhoom Khans. The whole party

party passed through the rough ground in front of camp, and to the Chumlah Plain. An infantry regiment, with the working parties, remained at the commencement of the plain, and near the village of Umbeylah during the whole afternoon, while the cavalry went down the valley. The reconnoissance was extended to Kooria, a distance of 10 miles down the valley, and the party did not return till evening. All this time the Bonair people had remained quiet, and I should certainly argue from this fact, that they had not, at that time at any rate, made up their minds to fight; but as the party from the valley returned, they commenced making unmistakeable arrangements to intercept it, and opened fire in a wholly unprovoked manner upon it. They were foiled in their attempt. The cavalry (portions of 11th Bengal Cavalry and Guide Cavalry) made a gallant dash at them and drove them back, sabreing six men; and the whole reconnoitring party effected their retreat with but slight loss, followed, however, the whole way by the Bonair force, and the attack on camp above noted, ensued.

79. Two days after this, we received intelligence that the Hindustanees under Mobarick Shah had flown to the rescue, with a quick eye of course to their own advantage in the matter; whether they were summoned by the Bonairs or not, was never clearly ascertained; but it was much the same thing when the latter received them and subsequently acted in concert with them. The declaration was a clear one that for the time at any rate they had espoused their cause, and were embarked in decided hostility to us.

80. A question may be raised as to whether it was the reconnoitring party, and the too tempting bait it offered, that brought on a collision. I cannot help feeling that it is just possible that things might have taken a different turn if war had not broken out on that day; but, on the other hand, I think the probability is, that the Bonair tribes-men would have forced their chiefs into war before we could have moved down into the Chumlah Plain. Our rear guard was detained till the 23d in the pass, and we could not, under any circumstances, have moved down till the 24th. We know that our detention, early gave rise to the hope that we had got so far and could not move further, and it was this hope that subsequently all along fired the tribes with such enthusiasm in the cause, and which, when backed by the presence of their priests, raised their spirit to a point which it has never, on any previous occasion, reached when they have been opposed to our troops; and this might lead, erroneously I think, to our rating their power of opposing us too highly. Individual bravery they have in a high degree. As light infantry, on a mountain side they might, with equal arms, cope with the best troops in the world; but they lack the power of combined action, and can with difficulty arrange to make a grand effort, or a stubborn resistance at a needed point; thus the brave go forward or stand doggedly and die; the half-hearted miss the opportunity of supporting their best men, and the day is lost. These failings, with the eternal necessity of council holding on all points, form their weakness, and render them ill-able to sustain attack or recover lost ground. There is one old opinion we must forego in future, and that is, that they are unable, from want of commissariat arrangements, to hold together for a lengthened period. When the cause is a popular one, such as religion or the privacy of the hills, it has been shown that they can make the required arrangements and sacrifices necessary for keeping up a large body of men at a given point; but I am still of opinion that only a remarkable cause would enable them to hold together for a length of time. In the late struggle, Bonair and Chumlah were both completely impoverished by the continuance of the war, as on these two tracts fell the chief burden, and the whole of their grain and cattle were consumed by it.

We still continued to hope that the coalition between the Bonair people and Hindoostanees would not be of long duration, and that Bonair would soon be tired of the game. On the 25th the Hindoostanees and Mahabun tribes fought unsuccessfully on the right heights, and the former went off disgusted. On the 26th, some of the strongest tuppahs of Bonair, aided by the Hindoostanees, threw their whole weight on the pickets on the Gurroo Mountain, as before described, and were repulsed with severe loss. A parley followed this fight, when the Bonairs came down, as they did frankly enough on our invitation, to carry off their dead. On this occasion we tried to reason with them as to the unnecessary loss they were causing to their tribe, but we made but small im-

pression. One peculiarity I noticed on this occasion, was that the Bonairs were shouldering and carrying off their dead relations, leaving some unfortunate Hindoostanees, mutilated with wounds, but with life still in them, on the ground to take their chance. I spoke to one man about this, and got a rebuff to the effect that he was carrying off his dead son—"what else should he do?" Subsequently, we observed that both the wounded and bodies of Hindoostanees were left by their allies to shift for themselves; the latter seemed to look upon them as they might upon earthern vessels, to be thrown at our heads on the day of battle, when no doubt their utility was appreciated, but of which it was quite superfluous to think of picking up the fragments if they happened to get broken in the fray. What their allies would not do was performed by the Christian soldiers, whom their tongues had been so ready to curse and consign to perdition; and thus, under the humane direction of Sir Neville Chamberlain, these mutilated rebels of our own territories, together with some wounded Bonairs, were taken into our hospitals, and carefully and kindly treated. They were subsequently sent down to our own territories; and I heard one of the Hindoostanees, when they were leaving the hospital, objecting to a dandy, as not fitted for the nature of his wound, and requesting a doolie with a flat bottom might be provided for him.

81. On the 28th October, we were all astonished and somewhat incredulous (none more so than the native chiefs of our own territory in camp), when it was reported that the Bonairs had induced the Akhoond of Swat to espouse their cause. The next day, however, the intelligence was fully confirmed, and it was well known that the old man had arrived with a large force of Swattees. I may mention here, briefly, that my own belief, and that of the native chiefs in camp, at the time best able to judge, was that the Akhoond moved in fear, that if he did not show sympathy with Bonair on the occasion he might lose influence with the tribe, who were his natural constituents; and, possibly, to this was added an anxiety lest Mobarik Shah, who is an aspirant to his fathers' position of King of Swat, might, by having joined the war with his Hindoostanees, gain some of the influence which he, the Akhoond, would lose. It was also known that the adjurations of the Bonair chiefs and people had been most passionate; the whole of the moollahs of the country, with many of the women, having been deputed to beseech him to adopt their cause. Some of our chiefs were still incredulous; but there was no mistaking the large accession of force that the enemy had received. The whole valley seemed full of men; and, what with the numbers, and the prestige of the Akhoond's name, our chiefs were quite cast down. The 29th was a Thursday. The Mahommedan day commences at sunset. It was reported, therefore, that the enemy would attack on the Friday, either during the night or in the morning. They did attack at dawn on the Friday, with what result has been previously detailed. Their defeat on this occasion was complete, the spirits of our partizans revived, and the enemy were again depressed.

82. On the 3d November, two Bonair mullicks came to me. These were residents of the Mullundry Pass, opposite Roostum Bazaar, in our own territory; and Azeez Khan, the Suddhoom chief, had invited them to come. They had at first replied that they could not come without the permission of their chiefs. On reference, however, they received permission to come. I conversed with them, and described the way in which the Bonair mullicks could meet us, and discuss the points at issue between us. I then allowed them to go away to their chiefs.

83. On the 5th, these two mullicks returned, bringing me a letter from two of the principal mullicks of Bonair, viz., Ahmed Khan of Buggrah, and Zydullah Khan, in which they expressed a wish that trustworthy persons might be sent to them, to whom they might explain their wishes. I replied to this, that they should be met and escorted by the Suddhoom chiefs, if they came within reach: and the two mullicks, who acted as go-betweens in the matter, returned to their Khans, a concerted signal for a truce being arranged.

84. On the 6th, occurred the affair of the covering party, as before described.

85. On the 7th, a force moved out over the scene of the previous day's fight, to recover the bodies. They moved over, and examined the whole of the ground, bringing in the bodies. The enemy were on the ground at first, but drew off.

86. On

86. On the 8th, a flag of truce was exhibited by the enemy at the spot previously arranged. I accordingly deputed Captain Munro and the Suddhoom Khans to communicate with the Bonair chiefs; and, if they were willing, bring them in. Captain Munro proceeded to the front line of defences, and the Khans then communicated with the opposite party; but the hour was late, and the Bonair men sent answer that they were not prepared to come in actually to our camp, till they had again consulted the Akhoond, which they said they would do, and then returned.

87. On the 9th, the Bajouries, under Zeman Khan, joined the enemy. An attack was talked of, and a large body of men ascended the Laloo heights, and then came down again, giving an appearance of vacillation.

88. On the 10th of November, the flag of truce again appeared, and Captain Munro and the Khans again went down to the front, and communicated with the chiefs. They were very shy; and it was not until Ajub Khan, of Suddhoom, went down to them that one of their number came up, and then the whole of our Khans, viz., Urbâb Futtah Khan Mohmund Sirbilund Khan Mohmund, the two Suddhoom Khans, Masum Khan, Fyzoolah Khan, and Afreedee Khan, forming altogether a good jirgah (or representative body), went down to meet and consult with the Bonair mullicks. Not much resulted from this meeting. I quote from my demi-official letter to the address of his Honor the Lieutenant Governor, reporting the result, dated the day following, viz., 11th November: —"The Khans had a good talk yesterday. Futtah Khan, the Mohmund Urbâb, and the Sudbhoom Khans on one side, and a good party of influential Bonair Khans on the other. Futtah Khan says he found them civil, but ignorant of our ways and ideas to a remarkable extent. He did all he could to convince them that we had no intentions with regard to their country, and reports that the best of them appeared to understand him, and I hear to-day that they went back and urged peace; but the intelligence this evening is that the cry of the war party, who are almost entirely strangers, viz., Swattees, Bajouries, Hindoostanees, and Mahabun tribes, has prevailed, and that they intend to attack us either to-night or to-morrow morning."

89. On the night of the 12th, the Crag Picket was attacked, and the enemy foiled, as before described. On the 13th, the Crag was lost and recaptured; and, from this date till the 18th, we were unmolested. Preparations were being quietly made during the interim for removing the camp to our new position, on the right heights.

90. I have previously described the events of the 18th November. On the 19th, I made over charge to Major James. I cannot better describe the position of affairs when I made over charge, than by quoting largely from my letter to his Honor the Lieutenant Governor, of the 11th, as our relations and prospects remained the same from that date up to the 19th, notwithstanding that stirring events had intervened.

91. I should have mentioned that, early in November, I had received from your office a copy of letter No. 707, of the 31st October 1863, from the Secretary to Government of India in Foreign Department, with the Governor General, to your address, directing that every effort should be made to carry out the original objects of the expedition, without engaging in hostilities with other tribes.

92. Further, on my reporting demi-officially that the Bonair chiefs showed an inclination to treat, I received, first by telegram, and secondly, in greater detail in your letter No. 785, of the 7th November 1863, an expression of his Honor's views, to the effect that it would be inexpedient to make terms with the Bonair tribe. The view taken by his Honor was that they had aggressed on us, and had been punished; that no terms entered into with them would render it safe to trust our communications to their fidelity; that it was doubtful whether they could turn out the Hindoostanees; and that any engagement entered into to that effect would be likely to be broken, and cause embarrassment to Government. His Honor therefore thought that it would be better, if their opposition had been broken down, to leave them to be dealt with for their offence as might be expedient at some future time, and expressed a hope that the force at the Umbeylah Pass might be able to move on with a certain

number of days' provisions to Mulkah, destroy that place, and then proceed to carry out the remaining objects of the expedition.

93. It was to explain the difficulties which beset this course, that the letter, from which the following is a quotation, was written.

94. Extracts from my letter, dated Umbeylah Pass, November 11:—

"I have in full view your directions that terms are not to be demanded from the Bonairs, that may subsequently embarrass; and I agree in the policy of this, as I think does the General; but, on the other hand, we are of opinion that some arrangement must be come to with them. The very best, we believe, would be that the Bonairs should turn out the Hindoostanees, which they are not unwilling to do, and give us a jirgah of their tribe to accompany us to the top of Mahabun. We should not trust too much to the line of communication thus secured. We should probably leave a strong body of men, if we can arrange for them, entrenched on the heights over the pass; and, taking our supplies for a certain sufficient number of days with us, reach the top of Mahabun in three marches. Arrived there, we should know for certain at once whether we could count on making our way down on the other side. If we could, the party on the heights above the Umbeylah Pass might return by Shere Durrah, and come round by the Durrum Pass to Chingullee to meet us." All this, I said, would be "easy, when the Bonair people had sent away, and thereby broken connexion with the Hindoostanees, and had given up the jealously that they feel at our marching down the Chumlah Valley."

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"It seems simple, and within bounds, to say to the Bonair people, 'send away the Hindoostanees, and we can treat with you. You have attacked us unnecessarily, and have suffered for it. Now, if you have come to your senses, and will send away the original causes of mischief, why, we can come to some agreement.' If they do this, I conceive that you would also be willing that they should be admitted to simple terms of forbearance on both sides. Stipulations for the future can be taken or not, as may be ruled. Should they not turn out the Hindustanees, then we can but fall back on the position you describe, and not admit them to any terms at all. But then comes the question as to what we can do without terms with them, and also the question of whether we could rationally, and with dignity, pass on and leave the Hindoostanees, our special enemies, behind us. The fracas with Bonair has been, I think, very unfortunate; but we acted for the best, and were, as you know, much led to adopt this line of approach by the views expressed by the Supreme Government, extending the operations, as they did, to the triangle between the Chumlah Valley, Burrundo, and Indus; so that, now that the difficulty has come, and the Bonair people have the Hindoostanees, with whom our real quarrel is, with them, it appears the best and firmest course, giving the best hope of a real solution of the whole trouble, to continue to press Bonair till we gain our object with them. That gained, the whole campaign would be decided, not another tribe would attempt to resist us, and we should only have our marches to make."

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"There is one thing to be noticed, and that is, that a settlement with Bonair would be much more readily arrived at could the force take up a position at Umbeylah (village), than while it is here. We should then be in the plain immediately opposite the Bonair Pass. We should be a match for all that could be brought against us; and, being an imminent menace to Bonair, they must either fight or make peace."

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"I think another brigade of 1,500 men, which you offer, might do much for us in this way. Two thousand men, strongly placed on the heights above the pass, and covered in a manner by the main force at Umbeylah, might hold its own, especially as attacking it would cause the enemy loss, and yet would not remove the great incubus at Umbeylah; and, I believe that, from Umbeylah, we should quickly arrive at a solution of the difficulty with Bonair, that done, a week would probably finish our task. The whole case is a difficult one; but I feel certain that perseverance will accomplish the end, and make it a success and an useful effort, instead of a blot and disappointment uninfluential for future good."

With

With regard to alternatives that had been discussed, I wrote, 1st, to "cut adrift from our base, pass down the Chumlah Valley, offering battle, as it were, to the Bonair tribe as we go by, making our way to Mulkah, destroying it, and descending on the other side; under present circumstances, this would, we all feel, be risky. We have encountered a remarkable difficulty in ascertaining by inquiry the real military difficulties of routes about the spurs of this great mountain. The people, used to large ridges, regard the little defiles near the plains as easy and low, whereas they are the stiffest for military operations I have ever seen. I am aware that in another place I have modified this opinion. I have done so on reflection; it is opposition which open one's eyes fully to the capabilities of ground, but I feel certain that portions of the road to Kaneegorum, in the Wuzeree country, were as bad if not worse than anything we had to deal with at Umbeylah. Brigadier General Chamberlain is of the same opinion, I believe, and also quoted the Khanbund Pass, in the Bozdar country, as worse than the Umbeylah country. Our plan would embrace the crossing of one part of the main ridge of the Mahabun, that facing Eusufzai, and, though the accounts are good, and I believe it practicable, consider what our case would be if we found it otherwise? We should either have to fight it out there, encumbered with wounded and baggage, or have to return foiled, and force our way out through this stiff ten miles of country, which has already cost us so much trouble. I have myself implicit confidence in our General's judgment. I have seen him on another occasion, and when things looked nearly as difficult, cut himself adrift from his communications, and start for a fortnight's march through the heart of the unknown country of a stronger and more systematically (because more practised) warlike tribe than the Bonairs. On the second day, his doolies were nearly filled with wounded, but still he pressed on to the head of the country, and carried all through. The man is the same, as sound in judgment, cheerful and firm, and in the present case with his mind fully made up; is it not therefore, natural to feel assured that there are difficult and risky features in the present case, which makes it difficult and peculiar? The distance to be accomplished is much less than in the other affair, and a large portion of the road lies through an open plain; but he would have to leave ten miles of stiff defile in his rear, into which the whole strength of the western tribes, fired with fanaticism, could be thrown, and he would have the ridge of a mountain as high as the Saint Bernard (regarding which we can only have the uncertain information of spies, ignorant of our style of warfare) as an outlet in his front; add to this the chance of being followed by the combinations that have given us difficulty here; and in case of any mishap, real or apparent, finding the Mahabun tribes with those of the northern Indus ready to take advantage of the least opportunity of doing us mischief; to this plan therefore, he prefers, and probably rightly for the present at any rate, a firm and menacing position on this pass, with a good communication with the rear, until, at any rate, the extent of the combinations against us, and the strength and endurance of our enemies, has been fully tested.

"The second plan that has been discussed, is to move the force to Kogah, and adopt the line between that place and Chingullee, in the Khoodoo country, and from thence, *viâ* the Durrum Pass, to the plains as a line of communication. Chingullee is in good, open country, and the Khoodoo Khail, it is believed, would be friendly and obedient; but the General has an insuperable objection to this plan, and much prefers the base he has adopted at Shere Durrah and Permoulio, and as the road at present between Kogah and Chingullee is very indifferent, and passes over a stiff and main spur of the Mahabun, and the Khoodoo Khail could not, under all circumstances, be depended on—the line of communication being moreover, exposed to attacks from the Mahabun side, I believe he is probably right." A subsequent examination of the ground convinced me that he had been certainly right.

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"There can be no doubt of this being the line for turning the Mahabun tribes. It is this rough and confined neck to the Chumlah Valley which renders it a difficult line to use, if the tribes on the flank of your march are hostile, otherwise, as expected, it turns and checkmates the whole of the Mahabun tribes."

95. I have only one point further to notice: the questions will naturally arise, could we more easily have carried out the original programme? Should

we in that case have come into collision with the Bonair tribe? And, lastly, would the effect of the expedition, if carried out on the original plan, have been sufficient and conclusive?

96. None of these questions can be answered as clearly as might have been expected; they still remain matters of opinion among those best able to judge.

97. My belief is that we might have entered the Mahabun Cup (the nature of which will be fully understood by the sketch* which accompanies my report on the destruction of Mulkah), and have destroyed Mulkah, and that in doing this we should only have had the Hindoostanees and the Mahabun tribes to deal with, helped perhaps by volunteers from other tribes, especially the northern Indus tribes. It is possible also that a few standards from Bonair would have joined the war; but this would have been different from the united action of the tribe. It will be seen by the Moulvie's letter before noticed, that the leaders of the Hindoostanees had, at an early period, invited the Bonair chiefs to come and occupy the Surputtee and Chingullee Passes from the Khoodoo Khail country into Chumlah, accompanying the summons with such warnings, in case of slackness, as were likely enough to have aroused the tribe to action; and it would have been perfectly possible that when we took up a position for our standing camp at Chingullee or Hungullee (*see* Peshawur district map), that we should have been in a manner threatened by bodies of men from Bonair and Chumlah, sitting in a menacing attitude on the Kogah and Soorah Passes into Chumlah, which two defiles answer to the Chingalee and Surputtee routes before mentioned. This would have embarrassed us, and would have rendered it less easy to work with light columns from a standing camp against Mulkah, than has been anticipated.

* Forwarded through Major James.

98. Further, the Mahabun tribes themselves must not be under-rated. The Amazais bear a warlike character, and the Muddakhail tribe, who were quite ready to back them, are 4,000 fighting men. These bodies would most assuredly have had the support of the Hussunzais, who had already committed themselves, and of such clans and classes as they could influence. I therefore think it probable that we might have had a stiff fight on the crest of the Kungullee Pass, which, as will be seen by the Moulvie's letter, it was their intention to defend; but, I believe, we should have forced our way, and then we should, without difficulty and without interference from Bonair, have proceeded to destroy Mulkah.

99. But the whole of this, I have no reserve in saying after seeing the country, would have been more difficult than had been anticipated; and it would have taxed the powers of the force we had collected to the uttermost. The Mahabun Mountain is 7,000 feet and upwards in elevation, and, I believe, Simla and Murree are about the same. Let any one imagine the difficulty that might have attended the task of deciding on the perfect practicability of marching an army, with its necessary food and comforts, from the Hurripore Bungalow to Simlah, or from Trete to Murree, before any English roads had been made through the country, and they will form some conception of the possibility of miscalculating the difficulties of traversing a country like the Mahabun tract.

100. Our success and the subsequent course of events would, of course, have depended much on the result of the first fight on the crest of the entrance pass; and further on, the extent to which, after the pass had been forced, the persistent and pernicious influence of the fanatics and their leaders might have sufficed to keep the tribes up to the mark, and re-organize opposition. If the defeat on the first day had not been signal and crushing, the force would have had to bivouac on the crest of the pass, and to have organised from thence the onward movement to Mulkah, a distance of five miles, leaving its standing camp in the Khoodoo-Khail Valley much exposed.

101. Supposing Mulkah destroyed, I do not think, from what I saw of the nature of the ridge, that it would have been practicable for the expeditionary force to have proceeded from Mulkah over the Mahabun main crest to Ootta, and from thence, *viâ* Ghobasnee and Gobai to Chunnee, and thus to descend upon Sittana. (This might have been feasible if the first fight had been fully successful

successful, and had in a manner put the game into our hands; but I am supposing the case of the tribes being still in opposition.) It would, therefore, have had to retrace its steps to the Kungullee Crest, and from thence would have had to make its way, by some lower road across the ridges, into the Jydoon valleys, and thus to Chunnee and Sittana.

All this might, however, have been done without our coming in contact with Bonair. We should have had the Hindostanees and the Mahabun tribes to deal with, backed by the Hussunzais, who were committed to the quarrel, and the other clans and classes that they could influence. I think we could have defeated them, and then all would have gone well; but the country is, as I say, stiff; and we might have encountered more difficulty in penetrating into the Mahabun Cup than I suppose; and I need not say that if a check had occurred on the Mahabun, the result would have been exactly the same as when we were supposed to have advanced to the crest of the Umbeylah Pass, and to be able to get no further. Just as Swat and Bajour came to the rescue of Bonair, so, in all probability, had a prospect appeared of successfully opposing us, would Chumlah and Bonair, with the whole of the Esazai clans, have rushed to the assistance of the Mahabun tribes, and our difficulties would have been much the same as they were at the head of the Umbeylah Pass, while our communications with our own plains would have been, at any rate, more distant and less controllable.

102. I am only saying, I believe truly, what might have happened. My belief is that, with the troops fresh and full of dash, we should have taken no denial. The gathering at the crest of the Kungullee Pass would have been dispersed; and then, after that, we should have carried out the rest of our programme, and that in that case the Bonair tribe would not have moved. It is possible that they might have occupied the Kogah and Soorah Passes into Chumlah, but I do not believe that they would have done more, that is, supposing that we were inclined to be contented with a pounce upon Mulkah and no more; but I think this was unlikely. I quote from para. 2 of Colonel Durand's letter, No. 639, of the 24th of September 1863. Writing of the fanatics he says:—

"Their mere expulsion from the right bank of the Indus back upon their old posts at Mulkah, and on the south bank of the Burrundoo, is not enough. * * * Whilst occupying the attention of the fanatics and their allies on the line of the Indus, in the neighbourhood of Sittana, the aim should be, if there should be no serious military objections to this course, to push up a strong force to Mungul Thannah and Mulkah, so as to interfere between the fanatics and their line of retreat towards the Burrundoo, their posts on which might be occupied either by a separate light column, or by a detachment from the main column. The latter would, from Mungul Thannah and Mulkah, then operate in conjunction with our troops on the Indus line against the fanatics; and though their extirpation may, as anticipated by Lieutenant-Colonel Taylor, not be possible, yet their dispersion would, under such circumstances, be on lines of direction favourable to their capture, if the co-operation of the well-disposed sections of the tribes could be elicited."

103. The posts on the Burrundoo, alluded to in the letter of the Secretary to the Supreme Government, were the lodgments of the Hindostanees at Nowgai and Mukhrunye in Chumlah, which had been shown in my map.

104. These views having been expressed by the Supreme Government, I feel sure that we should not have been satisfied with destroying Mulkah, without pushing on to the posts in the northern end of the Chumlah Valley. To do this we should have had to pass through the Sheregurh Durrah, between Nuggree and Bootsevah, and, to reach Nowgai, must have passed up beyond Kooria, and some distance into the open part of the valley, as will be seen by the sketch-map.

105. I think that this would certainly have aroused Bonair, as the tribe would have been just as much alarmed and annoyed by our coming into Chumlah, at the further end, as it was at our using the Umbeylah Pass. In fact, there

would not unnaturally have anticipated that we might take that route to return by. We should then, perhaps, have had to force our way through the Sheregurh Durrah, by no means an easy defile, with Bonair and Chumlah in front, and the Mahabun tribes and Hindostanees in rear and around us, with many other disadvantages. If, therefore, we must needs have come in contact with Bonair, it was on the whole better that it should occur at the outset, when we were still near our own border, and could take good care of our rear, communications, &c., than when we had penetrated further into the country, and had become committed to tasks which we could not well relinquish, and yet which obliged us to fight our way in rough country, at a distance from our base, and surrounded with enemies.

106. The third point is, whether the destruction of Mulkah and Sittana, and the coercion of the Jydoons and Othmanzai would have given a conclusive and satisfactory result. I should reply that a certain amount of result would have been obtained. The proceedings of the colony would have been checked and thrown back for some years, and they would have lost prestige and property, while the Buffer tribes (Jydoons and Othmanzai) would have been more careful for the future to act up to their engagements, and this would have secured peace for a certain period on the border; but I feel sure that it would not have had the lasting effect which, I believe, the loss inflicted on the Bonair and other tribes, and the ultimate foiling of the religious combination against us, will have.

107. It may be said that the whole of the tribes on our northern border tried their utmost against us, backed by their priests—that they caught us in an awkward position, and ought to have succeeded in driving us back, but in this they failed entirely; and the strong tribe that had ventured to take the lead in collaring us, and gainsaying our right and power to move in the direction we thought most expedient for the purpose, was eventually obliged to do our bidding, by destroying the stronghold of its allies in the war, at a far-distant and naturally landlocked spot, with British officials and a wellknown British regiment as spectators and witnesses of the completion of the task.

108. I think I have answered the three questions I proposed to the best of my ability and judgment. I may mention that the opinions of the military commanders, Brigadier General Chamberlain and Colonel Wilde, to the effect that, in a military point of view, the Umbeylah Pass was the only efficient line of operations for the coercion of the Mahabun tribes, are more clear and decided than my own, and I need not say that I think their opinions of far more weight and utility than any I could give. In fact, there is, of course, a good deal of bias, attributable entirely to the political bearings of the case, in my judgment.

109. I have before noticed the fact of the baggage having been detained till the 23d of October in the pass. Time had not sufficed, after the assembly of the army, for the arrangement of all details, such as the careful apportionment of loads according to the strength and efficiency of cattle. The large amount of mule and tattoo carriage necessary had naturally resulted in the presence of a good many animals very little fitted for their work. The roadway through the pass was, as before mentioned, found to be a good deal overgrown with brushwood. Loads were knocked off, or thrown by cattle unfit to take them up again, and this, of course, choked the line. It was further, as night fell, necessary to push on certain stores for the use of the Europeans, and this effort increased the already existing difficulties in narrow passages; and the result was a stoppage of the whole line, which was not easily set in motion again.

110. I think it probable that this enforced delay would have brought on the Bonair war without the fracas with the reconnoitring party, as the tribes quickly got the idea that we had got to a certain point and were unable to move further. The question that arises is, What might have been the case if the baggage had passed through unimpeded, enabling us to reach Umbeylah village, or Kogah, on the 20th or 21st of October?

111. My opinion is simply this, that it is certainly possible that if we had been able to pass into the valley the first or second day (and if, as the expression

is

is, fortune had favoured us), the whole campaign might have had a different aspect. Bonair, finding us so near it in such force, might have succumbed, and have rather aided than impeded us, as the fact of their not attempting to check our advance would have had its due effect upon the other tribes. But there might have been another turn of events. The tribe might have thrown itself into determined opposition; and then their efforts, if directed against our line of communications, falling as it would upon the moderate force we should have been able to leave on the crest of the pass to secure them, would have been much more formidable and embarrassing to us than they proved when they could be met by a strong force in a well-arranged albeit rough and difficult position. I have not time to enter into a dissertation on hill warfare. I will only put in incidentally here a protest against the fairness of measuring the matter by numbers when a force of ours enters the hills. None but those who have seen the style of thing can conceive how unfair this is to the troops concerned. A force of 6,000 men enters the hills, and it is reported that they have 10,000 men against them, so the matter is thought to be fairly equal; but, in fact, it would be found that of our force a full half were holding distant and widely-distributed positions on the surrounding hills, guarding the camp and its communications, and further that the state of the case was such that the enemy, wholly free of all anxiety themselves about camps, pickets, lines of retreat, &c., could at will bring their whole force to bear on any one (perhaps the weakest and most distant) of our outposts; thus making the odds overwhelming, and harassing the whole force, by dragging reinforcements from point to point. I cannot write more on the subject, but beg that this feature may not be lost sight of. I record it as my belief that when we next wish to enter the Mahabun tract, we must have one good efficient force to move in the interior and fight the tribes with, and we must have another, nearly as large, to hold the mountain crest in our rear.

112. In conclusion, I have only to mention gratefully the kind and friendly manner in which the Brigadier General commanding the expeditionary force, Sir Neville Chamberlain, uniformly conducted every duty in which from its nature we were brought together, enhancing on this occasion the high gratification I had felt on a previous one, in being associated with him in serving Government.

113. The month from the 20th of October to the 20th of November, when General Chamberlain was wounded, must have been one of severe mental harass to him, and one of labour and anxiety to all; but I trust that it was not thrown away. I believe that Government may well be satisfied with the result. The often-threatened religious combination of the tribes was fully tried. Not only was the famous Akhoond of Swat in the field, who is the greatest religious authority both of the hills and of our own plains as well, but the Hajee of Koonhar, only second to him in reputed sanctity and power, and who may be said to be the great priest of the northern Indus tribes, also left his known locality to proceed to the seat of war, where he did his best to encourage our enemies; and I have no doubt whatever but that every effort was secretly made by both these great religious authorities to tamper with the fidelity of our Mahomedan troops, who, though faithful and devoted to their officers and duty, yet felt painfully the presence of these revered leaders of the faith in the ranks of the enemy.

114. Thus, I say, the religious element did its worst against us; and though at times the reported reinforcements of the enemy, and the additional tribes mentioned as ready to move at the Akhoond's bidding, were enough to depress our native soldiery to the utmost, not one case of misbehaviour occurred. Men worked on and lay hard through an increasing severity of season, and fought bravely and devotedly against the enemy, their fellows in faith, whenever they met them. This is not surprising under the officers we had in camp, men whom, in memory of long and kindly association, their soldiers were willing to set before even their great religious Pangendrum himself. One of the most forward and efficient native officers of this force, thoroughly attached to his commanding officer, adopted the expedient for some time of determinately disbelieving that the great Akhoond was in the opposite camp. I must be

allowed to reiterate an old opinion, which, however, cannot be too often brought forward, which is, that the personal influence of officers will always be found to be the only stand-by for the Government interests when the religious cry is raised and the fidelity of our troops is being tampered with. Pay, pensions, and orders of merit may and would be cast to the winds when the honour of the faith was in the scale; but to snap the association of years, and turn in his hour of his need against the man whom he has proved to be just and worthy—whom he has noted in the hour of danger, and quoted to his family, is just what a Pathan will not do, to his honour be it said. I hope the system adopted by us may never be of a character to impair and deaden or perhaps nullify this most valuable hold on the loyalty of the men who must ever be our best instruments for quelling their brethren in the neighbouring mountains. I cannot but congratulate Government on the religious cry having been on the present occasion fully tried on this notoriously fanatical portion of the border. and its having failed. I confidently anticipate that the effect of this will be great and lasting.

115. The Bonair tribe is the lion of the border, Swat one of the largest and most populous tracts in our neighbourhood, and the tribe very powerful. Bajour has a great name, and is known from here to Herat. We were, by native report, only allowed a respite of existence till Ghuzun Khan of Dheer, with his 7,000 men, moved. The Hajee of Koonhar, it was well known, could render bullets powerless, and had other powers and qualities calculated to render nugatory all the late improvements in firearms. Sohbut Khan and Sheredil Khan were quoted as towers of strength. The Mahabun tribes and the Esazai clans had the privacy of their hills and their independence of action in harbouring strangers to fight for. All came and marshalled their men before us, and fought and suffered, and we saw "one capitulate and one resign;" and the end was, the march of the well-known and gallant Guide Corps down the Chumlah Valley, through the Sheregurh Durrah, and away into a nook of the Mahabun Mountain; and then the flames and smoke of Mulkah—the latter a beacon of victory to all the country round, seen and discussed no doubt on the far-off Black Mountain, and in other places interested in the quarrel that had raged for the previous two months; and this was followed by the quiet retirement of our force from its position on the Umbeylah Pass, without a shot being fired.

116. I desire to express the gratitude I feel to Almighty God for thus granting us successful and useful solution to a difficulty which at times wore a most gloomy aspect, as regarded our struggle with Mahomedan fanaticism, and our prestige generally with the tribes on the Peshawur border.

117. Having been on more than one occasion intimately associated with Lieutenant Colonel Wilde during this campaign, I must be allowed to record my sense of his uniform kindly bearing to myself, and all my department, in all duty matters. It is not for me to speak of him as a military leader; but I cannot but embrace the opportunity of expressing my admiration of the constancy and vigour displayed by him in the arduous and responsible duties which fell to his share—performed, as they were for a long period, under the trying pressure of temporary but severe indisposition.

118. In the middle of the struggle I was relieved by Major James. Had the difficulty been of an ordinary description, and not, as we held it on the spot to be, a national one, requiring "all the talents" available, I should, I suppose, have been disappointed at being obliged to give up the reins *re infectâ;* but I had no feeling of the kind. The arithmetic of the thing was simple—Major James had had 13 years' experience on the Peshawur border; I had had two. The whole effort might end unfortunately for our country, and cause not only disappointment and annoyance, but even impaired security for our countrymen and their families for years to come. There was then no room for personal feeling in the matter. It was an easy matter to me to make over charge to Major James, and our subsequent association will be an agreeable recollection. If I have in this report, not unnaturally I hope as the originator, been led into a review of the general results of the expedition, he will not suppose that I am claiming participation in the final successful result, the credit of which is his own entirely, and which I rejoiced in as if it had been my own.

119. His

119. His Honor the Lieutenant Governor is well aware of the labours and anxiety which the move of the Hindostanees from Mulkah to Sittana caused in the Huzara district, the brunt of which fell on Major Coxe. For a long time the safety of Umb was a matter of constant anxiety. It had to be held by levies, and was much exposed. Major Coxe carried out all the arrangements necessary for its protection, and they proved thoroughly successful. From July last, Major Coxe's attention has been almost entirely taken up with watching Umb and the Hussunzai border, and all his arrangements have been excellent. His presence in Huzara, when so weakly garrisoned, was a great stand-by ; and by his exertions, from the very commencement of this troublesome affair, I trust that his Honor will deem that Major Coxe has merited the thanks of Government.

120. Captain Munro accompanied the expedition. His services were of the utmost value to me, and his assistance was always heartily and efficiently given. His Honor the Lieutenant-Governor is well acquainted with his valuable qualities as an officer, especially in dealing with Pathans.

121. Lieutenant Hudleston held charge of the Peshawur district throughout the difficulty, and performed the difficult duties which fell upon him admirably. I received daily reports from him of the state of the border, and his calm firm view of matters that appeared threatening, was a great support and comfort when the reports circulated were unfavourable in the extreme.

122. Lieutenant Sandeman was the officer in charge of Eusufzai when the fanatics suddenly descended from Mulkah to Sittana. He remained out during the hot months with the blockading detachments. He subsequently had civil and political charge of Roostum Bazaar, and afterwards of Permouli and Nowakillah. He had the management of the levies ; and the care of the road, from the base to camp, in a great measure devolved on him. All his duties were performed with his accustomed energy and zeal; and I have to thank him for his valuable assistance throughout my incumbency.

123. Lieutenant Powlett joined the force at Umbeylah after I had made over charge, and his services will be noticed by Major James.

124. The levies did good service, both in Huzara and Eusufzai. They performed the duty of guarding the lower portions of the road from the plains to camp.

125. Ajab Khan and Azeez Khan, the Sudhoom Khans, deserve especial mention. They will be fully reported on by Major James. Their assistance was heartily given throughout. They provided good men as levies, who worked hard throughout, and had the post of danger, as they carried the dâks and furnished escorts on the upper portions of the road, where they were constantly liable to be attacked. Azeez Khan accompanied me to Mulkah, and behaved especially well in a matter where his assistance was of importance to me. I trust to hear that both these Khans have been signally rewarded. I know that Major James has an excellent opinion of their services, especially Ajub Khan's, in this difficulty.

I fear this report has reached to a great length ; but I hope that my entering into details at some length will not be deemed out of place, especially as I am leaving this country, and shall not be at hand to answer references.

Appendices to Colonel *Taylor's* Report.

Proclamation to the Chiefs and Mullicks of Chumlah (other than the Khoodakhail and Amazais).

Whereas it is well known to you that a British force entered the Mahabun hills about five years ago, for the purpose of chastising the colony of Syuds and Hindoostanees located at Sittana, and professing open hostility to the British Government, and that the Jydoon and Otmanzai tribes entered into a written agreement not to permit the return of the said Hindoostanees to their former position at Sittana; and whereas those two tribes, in contravention of their own written agreement, have within a recent period allowed the Syuds and Hindoostanees to reoccupy Sittana, and the latter, since their return, have omitted no opportunity of displaying their hostility to the British Government, both by inciting the neighbouring tribes to commit aggressions on its territories, and endeavouring to tamper with the allegiance and fidelity of its feudatories: it is hereby notified to the chiefs and mullicks of Chumlah that a military force has assembled, and is about to enter the Mahabun tract for the purpose of chastising the hostile colony of Hindoostanees, consisting chiefly of fugitive subjects of the British Government. Should it be necessary for the British force to enter the Chumlah territory for the purpose above-mentioned, every care will be taken that no injury be done to crops and villages, and that proper prices be given for all supplies furnished.

(signed) *Reynell G. Taylor,*
Camp Nowakillah, 19 October 1863. Commissioner.

Proclamation addressed to the Heads of the Munsoor and Salar Sections of the Jydoon Tribe.

You are well aware that, by allowing the Syuds and Hindoostanees to return to Sittana you have broken the engagements entered into by you five years ago, and subsequently renewed.

Every opportunity has been given you to retrieve and make amends for the error you have committed, by ejecting the Syuds and Hindoostanees from Sittana; but you have allowed them to remain up to this time.

You are therefore, by this conduct, liable to any punishment which the British Government may deem it proper to inflict; but, on the other hand, it is a well-known fact that, from the first occupation of this country by the British, the Jydoon tribe has been a well-conducted one, and has remained on terms of friendly intercourse with the inhabitants of the British border. It is also apparent that, from the commencement of the present difficulties and the establishment of a blockade, no aggression on British territory, or other impropriety, has been committed by the Jydoon tribe.

We are willing, therefore, to believe that the breach of faith committed in allowing the Hindoostanees to return to Sittana was the act only of a section of a tribe, actuated by former relations with the Syuds and Hindoostanee colony, or by cupidity, and it is not our wish that the generally well-conducted Jydoon tribe should be ruined by this one offence; but since it is a fact that, from the commencement of this difficulty, the tribe has done nothing to recover its good name with the British Government, and the continued presence of the Hindoostanees at Sittana has been the cause of great expense and trouble to Government, and also eventually of the assembly of a force for the chastisement of this professedly hostile colony, it is but right that the Jydoon tribe should, on the military force entering the Mahabun tract, be expected to perform some signal service by which (if zeal and activity are displayed in the Government interests) a more favourable view may be taken of their original breach of faith than could otherwise be the case.

You are now informed that the troops of the British Government are about to enter the Mahabun tract, for the purpose of capturing or destroying this hostile colony of Syuds and Hindoostanees, most of whom are, as you know, fugitive subjects of the British Government; and whereas, in the first instance, the order given to the Jydoon tribe was to effect the expulsion of these Hindoostanees, you are now required not to permit them to escape.

It is therefore proper that you take immediate measures to close their avenues of retreat; and we would have you know that it is not the desire of the leaders of the expeditionary force unnecessarily to shed the blood of the men composing the Hindoostanee colony, many of whom we know to be poor misguided individuals, acting under the dictation of a few designing leaders.

Such as may resist will incur the result as God may dispose it, and must of course take the consequences.

If the Jydoons, as a tribe, lend efficient aid in capturing or preventing the escape of the men comprised in this Hindoostanee colony, their own reconciliation with the British Government will be a matter of easy accomplishment.

Under any circumstances, bearing in mind the former good conduct of the Jydoon tribe, the members of the clan may feel assured that whatever measures may be thought necessary for the punishment of their original offence (which would be greatly affected by their conduct

conduct on receipt of this communication), they will be carried out deliberately, and with discrimination.

The Jydoons need not fear that, without grave cause, the force will enter their country for purposes of chastisement and devastation.

With the object of arriving speedily at an understanding, the Jydoon tribe is hereby informed that the British troops are about to enter the hills, and they are required to send accredited representatives from each section of their clan to the British camp when the force has entered the hills. The position of the camp can be easily ascertained by themselves.

(signed) *Reynell G. Taylor,*
Camp Nowakillah, 19 October 1853. Commissioner.

Proclamation to the Chiefs and People of Bonair.

Whereas it is well known to you that a British force entered the Mahabun hills about five years ago, for the purpose of chastising the colony of Syuds and Hindoostanees located at Sittana, and professing open hostility to the British Government, and that the Jydoon and Otmanzai tribes entered into a written agreement not to permit the return of the said Hindoostanees to their former position at Sittana; and whereas those two tribes, in contravention of their own written agreement, have, within a recent period, allowed the Syuds and Hindoostanees to reoccupy Sittana, and the latter, since their return, have omitted no opportunity of displaying their hostility to the British Government, both by inciting the neighbouring tribes to commit aggressions on its territories, and endeavouring to tamper with the allegiance and fidelity of its feudatories: it is hereby notified to the heads of all the tribes of Bonair that a military force has assembled, and is about to enter the Mahabun tract for the purpose of chastising the hostile colony of Hindoostanees, consisting chiefly of fugitive subjects of the British Government. This intimation is accordingly forwarded to the leading men (chiefs) and people of Bonair, to apprize them of the intentions of Government and the destination of the force, and in order that they may entertain no anxiety regarding their own possessions, or the objects of this Government, the relations of the tribes of Bonair with the British having from the first been entirely friendly.

(signed) *Reynell G. Taylor,* Commissioner.

Camp Nowakillah, 19 October 1863.

Proclamation to the Mullicks of the Khoodakhail Tribe.

Whereas it is well known to you that a British force entered the Mahabun hills about five years ago, for the purpose of chastising the colony of Syuds and Hindoostanees located at Sittana, and professing open hostility to the British Government, and that the Jydoon and Otmanzai tribes entered into a written agreement not to permit the return of the said Hindoostanees to their former position at Sittana; and whereas those two tribes, in contravention of their own written agreement, have, within a recent period, allowed the Syuds and Hindoostanees to reoccupy Sittana, and the latter, since their return, have omitted no opportunity of displaying their hostility to the British Government, both by inciting the neighbouring tribes to commit aggressions on its territories, and endeavouring to tamper with the allegiance and fidelity of its feudatories: it is hereby notified to the mullicks of the Khoodakhail tribe that a military force has assembled, and is about to enter the Mahabun tract for the purpose of chastising the hostile colony of Hindoostanees, consisting chiefly of fugitive subjects of the British Government. Should it be necessary for the British force to enter the Khoodakhail territory for the purpose above-mentioned, every care will be taken that no injury be done to crops and villages, and that proper prices be given for all supplies furnished.

(signed) *Reynell G. Taylor,* Commissioner.

Camp Nowakillah, 19 October 1863.

Proclamation sent through Major *Coxe,* Deputy Commissioner of Hazarah, to the Chiefs and Mullicks of the Amazai Tribe.

Whereas it is well known to you that a British force entered the Mahabun hills about five years ago, for the purpose of chastising the colony of Syuds and Hindoostanees located at Sittana, and professing open hostility to the British Government, and that the Jydoon and Otmanzai tribes entered into a written agreement not to permit the return of the said Hindoostanees to their former position at Sittana; and whereas those two tribes, in contravention of their own written agreement, have, within a recent period, allowed the Syuds and Hindoostanees to re-occupy Sittana, and the latter, since their return, have omitted no opportunity of displaying their hostility to the British Government, both by inciting the neighbouring tribes to commit aggressions on its territories, and endeavouring to tamper with the allegiance and fidelity of its feudatories: it is hereby notified to the chiefs and mullicks of the Amazai tribe that a military force has assembled, and is about to enter the Mahabun tract for the purpose of chastising the hostile colony of Hindoostanees, consisting

chiefly of fugitive subjects of the British Government. This intimation is accordingly forwarded to the chiefs and mullicks of the Amazai tribe, to apprize them of the intentions of Government, and the destination of the force. As it is apparent that the line of retreat of the Hindoostanees naturally lies through the territory of the Amazais, and that many of the positions now occupied by these Hindoostanees are in the same territory, the British authorities consider it just that the Amazais should be required to prevent the escape of the Syuds and Hindoostanees across the Burrundoo. In consideration of assistance thus given, the Amazai tribe will be looked upon as friends of the British; and on the occasion of a force encamping upon their lands, care will be taken that no injury be done to crops or villages.

(signed) *Reynell G. Taylor*, Commissioner.

Camp Nowakillah, 19 October 1863.

PROCLAMATION sent through Major *Coxe*, Deputy Commissioner of Huzara, to the Mullicks and Chiefs of the Muddah Khail Tribe.

WHEREAS it is well known to you that a British force entered the Mahabun hills about five years ago, for the purpose of chastising the colony of Syuds and Hindoostanees located at Sittana, and professing open hostility to the British Government, and that the Jydoon and Otmanzai tribes entered into a written agreement not to permit the return of the said Hindoostanees to their former position at Sittana; and whereas those two tribes, in contravention of their own written agreement, have, within a recent period, allowed the Syuds and Hindoostanees to reoccupy Sittana, and the latter, since their return, have omitted no opportunity of displaying their hostility to the British Government, both by inciting the neighbouring tribes to commit aggressions on its territories, and endeavouring to tamper with the allegiance and fidelity of its feudatories: it is hereby notified to the mullicks and chiefs of the Muddah Khail tribes that a military force has assembled, and is about to enter the Mahabun tract for the purpose of chastising the hostile colony of Hindoostanees, consisting chiefly of fugitive subjects of the British Government. This intimation is accordingly forwarded to the mullicks and chiefs of the Muddah Khail tribe, to apprise them of the intentions of Government and the destination of the force. As it is apparent that the line of retreat of the Hindoostanees naturally lies through the territory of the Muddah Khail tribe, the British authorities consider it just that the Muddah Khail tribe should be required to prevent the escape of the Syuds and Hindoostanees across the Burrundoo. In consideration of assistance thus given, the Muddah Khail tribe will be looked upon as friends of the British; and, on the occasion of a force encamping upon their lands, care will be taken that no injury be done to crops or villages.

Camp Nowakillah, 19 October 1863.

(signed) *Reynell G. Taylor*, Commissioner.

TRANSLATION of a Persian Letter from *Syud Oomrán* and *Oodaidoolla* (commonly known as *Moulvie Abdoollah*), to the address of *Ahmud Khan*, of Buggrah.

After compliments.—A large force of the infidels has arrived at Suleem Khan, Yar Hoosain, and Shaikh Janee, with the object of plundering this country. It is, therefore, incumbent on you, immediately on the receipt of this letter, to gird your waist and proceed to Chumlah; and, after issuing notices to the other allies, prepare and bring them up with yourself. We are posted in strength on the crest of the pass, and you ought to occupy Sarputtee and Lundai, that is, the Chinglai village, and maintain a firm hold of your position. You should not allow a moment's delay in carrying out the above instruction. Should, however, any delay occur, the evildoing infidels will plunder and devastate the whole of the hilly tract, especially the provinces of Chumlah, Bonair, Swat, &c., and annex these countries to their dominions; and then our religion and worldly possessions would entirely be subverted. Consequently, keeping in consideration a regard for "Islam," the dictates of faith and worldly affairs, you ought by no means to neglect the opportunity. The infidels are extremely deceitful and treacherous; and will, by whatever means they can, come into these hills, and declare to the people of the country that they have no concerns with them, that their quarrel is with the Hindostanees, that they will not molest the people, even as much as touch a hair of their heads, but will return after having extirpated the Hindoostanees, and that they will not interfere with their country. They will also tempt the people with wealth. It is, therefore, proper for you not to give in to their deceit; or else, when they should get an opportunity, they will entirely ruin, torment, and put you to many, many indignities, appropriate to themselves your entire wealth and possessions, and injure your faith. You will then obtain nothing but regret. We impress this matter on your attention.

Sealed by *Syud Oomran*, 1263 A. H.

Sealed by *Oobaidoollah*. 1278 or 1275 A. H.

From Major *Hugh R. James*, C.B., Commissioner and Superintendent Peshawur Division, to *R. H. Davies*, Esq., Secretary to Government Punjab; No. 9, dated Peshawur, 26 January 1864.

I HAVE now the honour to submit, for the information of Government, a detailed narrative of events connected with the recent operations of the Eusufzai Field Force subsequent to the date of my resuming charge of the Peshawur division from Colonel R. G. Taylor, C.B., on the 18th November 1863.

2. I need not here discuss the original objects of the expedition, the advantages and disadvantages of the route selected, or of the circumstances which led to the unexpected detention of the force on its first attempt to advance—these are topics which can best be treated of by my predecessor.

3. I received at Lahore your letter of the 13th November, briefly setting forth the views of his Honor the Lieutenant Governor on our position at the time, and on the manner in which he desired the original objects of the expedition to be carried out. I was particularly instructed to avoid anything calculated to prolong or extend the sphere of operations, and the Government expressed their entire dissent from any line of policy involving the necessity of entering Bonair. A copy of your letter, No. 194—795, of the 14th instant, to the Secretary to Government of India, was received by me at Permouli, in which the above views were reiterated, and the Supreme Government were earnestly solicited to strengthen General Chamberlain by another brigade of 2,000 men; on the arrival of which it was hoped that he might be in a position to strike an effectual blow at the Bonairwals, and advance to the accomplishment of our objects against Mulkah and the tribes of the Mahabun.

4. A few words may here be necessary in regard to the scene of operations. This comprised the mountainous tract lying between the plains of Eusufzai and the Burrundoo river, having the Indus on the east, and the range of hills on the west which separate Chumlah from Bonair. The greater portion of this tract is occupied by the bold mountain of Mahabun and its offshoots, which terminate towards the valley of Chumlah and the plains of Eusufzai in lower ridges, with intervening glens and plateaus, but to the north-east and east descend in precipitous cliffs to the Burrundoo and Indus.

5. A main ridge runs in a semicircular form from near Pihoor, on the Indus, to a point above Chinglai. The eastern portion of this area is occupied by the Jydoons, an independent tribe, capable of producing 3,000 matchlock-men. I will speak of them at greater length hereafter. The western portion is occupied by the Khoodoo Khail, the tribe against which the force under Sir S. Cotton acted in 1858. Their numbers are computed at 2,000 men. Proceeding to the convex side of this ridge, we have on the south-east the Otmanzai, an independent portion of the same Pathan clan which occupies our own villages of Topi and Maini. They are located in the three villages upon the narrow strip of land between the mountains and the Indus. The proprietary right in the Sittana lands were vested in them, and assigned by their ancestors to the Syud adventurers, which is the cause of this small and factious section of a tribe, numbering only 400 men, becoming involved in all the affairs connected with this troublesome corner of the Peshawur district. They will be further noticed at a later period. We next come to the possessions of our own Hazara chief, Akram Khan of Umb, and then to the tribes on the Burrundoo river. The most eastern of these is the Mudda Khail, a poor and much-divided tribe, numbering 4,000 men. The rest of the area, including Chumlah and the valleys running up to the Mahabun, in one of which Mulkah is situated, is occupied by mixed sections of the Mundun clan.

6. It must be premised that the great Eusufzai division of the Pathan race comprises the two chief clans of Eusuf and Mundun. They were all originally in the hills; but, about four centuries ago, the Mundun clan migrated to the plains, leaving that of Eusuf in possession of Swat and Bonair, which they retain to the present time. Prior to descending into the plains, the Munduns left their families in Chumlah; and when the clan had established itself in Eusufzai (now so called), the valley of Chumlah was apportioned amongst them, and their descendants have continued in possession. These sections of the clan are the Amazai (divided into the Dowlutzai and Ismailzai), the Akokhail, Mullikzai, Manizai, Khidurzai, and Mohomedzai. You will find, on reference to Walker's

map, that these are the same tribes occupying our own territories in the plains of Eusufzai, all of whom are represented in Chumlah, except the Kamalzai. From the lapse of years, undoubtedly, the same close connexion does not subsist which formerly existed between the men in the plains and their clansmen in Chumla; but they are of the same stock, intermarry, and cherish the same feelings and antipathies. The village of Umbeylah, in the above distribution, belonged to the Amazai, the clan settled in our own valley of Sudhoom; but, about 50 years ago, it was forcibly taken by the Eusufs of Bonair, who are still in possession of it.

7. It will be remembered, that the tribes against whom it was originally intended to act, were the Jydoons and the Otmanzai; and it was to be expected that the Amazai, in whose lands Malkah was situated, and the Mudda Khail in their close vicinity, might assist the Hindoostanees. But it was finally determined that the force should, in the first instance, proceed by the Umbeylah pass and Chumlah valley to Mulkah, in the expectation that by adopting this route the retreat of the Hindoostanees into Bonair and Swat might be cut off. As already intimated, I do not propose entering into any discussion on the political effect of this change of plan; but it was necessary to allude to it as accounting for subsequent events.

8. It was essential to the success of the above plan that the closest secrecy should be preserved, and, therefore, the numerous political arrangements which have always preceded such expeditions on this frontier, were rendered impossible. Hence, I believe, that when the force arrived on the crest of the Umbeylah pass, the Bonair and Chumlah men were utterly unprepared for the movement. Proclamations, explanatory of our objects, had indeed been sent to them by Colonel Taylor, simultaneously with the march of the column; but his Honor is well aware that, even in peaceable times, when it is intended that such a document should be appreciated by a border tribe, time must be given to call together the representatives of every village, that the matter may be formally discussed in the councils of the tribe. Even supposing, therefore, that the proclamations actually reached their destination, was it likely that a brave race of ignorant men would pause to consider the purport of a paper they could not read, when the arms of a supposed invader were glistening at their doors?

9. The pass leads into the Chumlah valley; but the village of Umbeylah at its foot is possessed by the Bonairwals, and two miles in front of it is the comparatively easy pass into Bonair. I am not prepared to assert that, had the force been able to proceed on its march at once, thus proving indisputably that its object was not to invade Bonair, it might not have succeeded in effecting the destruction of Mulkah without serious opposition; but as circumstances prevented this, it was natural that the men of Bonair should flock to oppose the progress of an army which had advanced to the position I have described. The march to this point, through the Soorkhaivi gorge, had proved unexpectedly long and difficult; the baggage of the army was on weakly and ill-equipped animals, and several days elapsed before it had all arrived. This precious interval was actively employed by the Moulvie at the head of the Hindoostanees, and other priestly advisers, to impress on the minds of the tribes a conviction that their country was in danger; whilst the delay itself gave some pretext for their arguments, and enabled the whole of the neighbouring clans to swell the numbers of the opposition.

10. Thus, when the force was in a condition to advance, it found itself confronted by an enemy vastly superior in numbers, acquainted with every crag and ravine in the neighbourhood, and actuated at that time by the noblest of all impulses, the defence of their homes and country; but when the Akhoond of Swat, so superstitiously regarded, so wildly reverenced by the people, joined the confederacy in person, there was added to this the impulse of fanaticism, and distant tribes hastened to join in the war. It was then considered impracticable, on military grounds, to advance up the Chumlah valley; and it was further evident that the original object of that advance had been frustrated by the abandonment of Mulkah by the Hindoostanees, who had now joined the tribes in our front. Under these circumstances it was resolved that the position in the Umbeylah pass should be maintained until, by the arrival of reinforcements, the force should be able to proceed. From your letter to the Government of India of the 14th November, I find that a brigade of 2,000 men was then considered by General Chamberlain a sufficient reinforcement; and in the above resolution,

arrived

arrived at by the authorities on the spot, I think that any person acquainted with the state of affairs at the time must cordially concur. The difference between the opinion (as recorded in the above letter) of the officers with the force and that which I had formed from a perusal of the correspondence at Lahore, consisted in the policy to be pursued after such reinforcements should be received. It was therein intimated that it might be necessary to carry the war into Bonair. This I considered a wrong line to pursue, and one which the antecedents of the tribe would not justify. It seemed to me that when the army was sufficiently reinforced, a blow or series of blows should be struck at the confederate tribes from the position we held, until they dispersed, and that then the force should advance to the accomplishment of the work originally intended. I was happy to know that his Honor entirely approved of this course. My letter of instruction was based upon it; and it was submitted for the approval of the Supreme Government in your letter of the 14th November. I proceed to show how it was carried out.

11. I arrived in General Chamberlain's camp on the 18th November. The position it had occupied since its arrival, on the 20th October, was an extensive one, including the lofty Gurroo mountain on the left, and the more detached eminences on the right. It commanded both the Soorkhaivi defile, by which the force had advanced, and that of Sherdurrah, which led to Permouli. The numerous assaults made by the enemy on this position, and their result, will be described to the Government by the Military Commander, and by Colonel Taylor. Unable to bring large bodies of troops together against the enemy, and exposed to continual assaults by them upon detached posts, we lost much of the advantage arising from discipline, organization, and superior arms; on the other hand, the enemy availed themselves, by their intimate knowledge of the ground and natural agility, of all the rocks and ravines, which to others would have been only formidable impediments. In the early morning they would creep up in detached parties under shelter of these rocks, and throughout the day keep up a constant fire on our posts, not, indeed, recklessly, but with a thoughtful care for their ammunition, taking unerring aim at any man who momentarily exposed himself above the breastworks. Late in the afternoon, when they believed our men to be exhausted by this most wearying style of fighting, they would rush on to the assault with bold desperation. They suffered severely on all these occasions, but our own loss was also heavy. Up to this time we had lost seven officers killed and seven wounded; 129 rank and file killed, and 309 wounded.

12. Before continuing the narrative it is proper that I should give some more detailed information of the enemy I found engaged with us. First, there were the Hindoostanee fanatics, under the leadership of Moolvie Abdoolla. They numbered at the commencement about 900 men, most of whom had been wrought up to a pitch of fanaticism, and were all prepared to lay down their lives. It is, indeed, only men animated by this spirit who can be found willing to leave their homes in India, and to take up their residence in these rugged mountains. Widely separated in language, manners, and interests from the people amongst whom they dwell, receiving only a bare subsistence from the Moolvie who entertains them, and paying exorbitantly for all the supplies they consume, their life is passed in a manner by no means congenial to natives of Hindoostan. They are drilled on our system, and some are clothed like the sepoys of the old Indian army. Three of their jemadars were non-commissioned officers of the late 55th regiment native infantry. The Moolvie himself has been about four years in these parts. He is the nephew of that Moolvie, Inayutoolah, who gave us so much trouble in 1857, at Naringee, and is a man of great ability. He it is who appropriates all the contributions received from India for the colony, from which he derives a rich income. He entertains also ulterior views for the re-establishment of a kingdom in Swat, in the person of Syud Mobarik Shah, the son of the late Syud Akbur Shah. With these Hindoostanees were associated the family of the Sittana Syuds, whose history is already before the Government. The only one, however, who took a prominent part against us was Syud Mahmood, who was in our service for some time. After the expedition of 1858, the eldest representative of the family, Mobarik Shah, took no active share in the proceedings.

13. The next party to be noticed are the Bonairwals, or inhabitants of Bonair. Their origin has been indicated above. His Honor has justly observed regarding this tribe that "we cannot accuse them of the murder of our subjects, the plunder of our villages, or the kindred crimes which have heretofore led to our attacking

the Pathan tribes in the hills." On the contrary, they have always been good and quiet neighbours, even in disturbed times. In 1857, when I was engaged against Naringee in their immediate neighbourhood, with a small body of troops, they did not move a man when their doing so might have altered the whole aspect of affairs in the valley. In regard to the Hindoostanees, they were never friendly to them, and did not consider their tenets orthodox; when, therefore, in 1858, a force marched against the former, it received no opposition from Bonair. The tribe is divided into seven "tuppas," the chief of which, in respect of influence and fighting qualities, are the Dowlutzai and Ashezai. Their affairs are regulated on the same organization of brotherhoods as exists in all other Pathan tribes. Their chief khans are Zaidoolah, Ahmed, and Nawab, the two first named being closely allied by marriage to our own chiefs of Suddhoom, Azeez Khan and Ajub Khan. They are supposed capable of producing from twelve to fifteen thousand men. Always celebrated for patriotic bravery, they were the chief opposers to the Sikhs, both on their advance to Peshawur and in the several fruitless attempts by that power to punish border villages in their vicinity which were in alliance with them.

14. The Akhoond of Swat, boasting of no saintly parentage, but by a life of singular asceticism earning for himself a character of simplicity and devotion, is too well known to the Government to require further notice here; but it is remarkable that, up to the present time, with the solitary exception of forcing a king upon the Swattees, he has held himself aloof from worldly affairs, and even in 1857 counselled his disciples, who flocked to him for advice, to peace. He also was ostensibly opposed to the tenets of the Sittana fanatics. I understand that last year he was unusually busy in attempting to refute some religious views held in Peshawur, which were opposed to his own; but the most probable conjecture I have heard for his so promptly appearing on the field is a fear lest Moolvie Abdoola should supplant him in his religious supremacy over the Bonairwals. Be this as it may, his arrival was the signal for large reinforcements, and had also a depressing effect upon many of our own people.

15. He was accompanied by the two chiefs of Swat, Sohbut Khan and Sheredil Khan, usually at bitter feud with each other, but then the best friends. They had with them about 3,000 men at this time. The village of Chumlah sent their quota—the Amazai of Cherorai being well represented, and the Mudda Khail also came in force; but these last took a prominent part in the attack of the 13th, in which their leader was slain, and they returned to their homes. The Ranizai are of the same stock as the Swattees. They occupy the villages in the plain of Eusufzai, below the Mullakund range. It was against their villages that the force under the late Lord Clyde operated in 1852. They also joined the ranks of the enemy in large numbers. Small parties of men from other tribes complete the roll, and the total number of men in arms against us at that time may be computed at about 15,000.

16. Independently of these, however, was a mischievous gathering of our own subjects, who associated with bands of the enemy in infesting our lines of communication. Chief amongst these were the Otmankhail, an Afreedee clan, long settled in the upper parts of the Loondkhor valley, but who have retained all the wild habits and plundering propensities of their race. They were joined by men from Narinjee, and bigots and malcontents, who, individually, or in parties of two and three, slipped away from a great number of our villages. They numbered only a few hundreds in all, but were of great use to the enemy in the manner alluded to above.

17. On the 18th October, General Chamberlain moved his position to the right, leaving the Gurroo mountain altogether. His line of defence was thus considerably decreased and strengthened, whilst he retained command of the Sherdurrah defile, which now became our line of communication with the plains at Permouli. During the movement, the enemy did not offer any opposition. Cautiously at first, and suspecting some stratagem, they entered the "Eagle's Nest," the "Rock picket," and the positions left by our troops; but becoming more assured, and finally considering it as a retrogade step, they made a vigorous assault upon our right pickets before the force had settled down in its new position. Fighting continued till near midnight. The enemy were repulsed with a loss of about 250 men; our own casualties being 4 officers and 41 men killed, and 2 officers and 72 men wounded.

18. The 19th was passed in comparative tranquillity. A desultory fire, however,

ever, was kept up in the morning on the advanced pickets, and an officer was killed. The troops were actively employed in strengthening the posts. Having made myself acquainted with the general state of affairs, I opened communications with several of the chiefs opposed to us, in the hope of drawing off some. Many circumstances favoured my efforts, especially the great loss already suffered by the enemy, and the inconvenience they were beginning to feel in the matter of supplies for so large a body of men.

19. Owing to a superstitious reverence for the day, it had been customary with them hitherto to attack us on each succeeding Friday; and accordingly on the following day (Friday, the 20th) they commenced an attack on the water and crag pickets, at 11 A.M., in the usual style. The latter, which was held by detachments of European and Native infantry, gave way at 3 P.M. It was retaken by the 71st Regiment and Hazara Goorkhas, after having been a very short time in possession of the enemy. This post appears to have been the chief point on which they directed their attacks; and, from the heavy losses sustained there on both sides it has become popularly known in the country under the name of "Kattgah," or place of slaughter. The enemy again lost upwards of 300 killed and wounded. Our casualties amounted to 2 officers and 24 men killed, 4 officers and 94 men wounded. Amongst the latter was General Chamberlain himself, who accompanied the assaulting column, and was shot in the arm. He was able, however, to retain the command for two days, when he resigned, and it devolved temporarily on Colonel Wilde, C. B.

20. On the 21st, I received his Honor's telegram of the previous day, authorising the withdrawal of the force to Permouli, should General Chamberlain consider it desirable on military grounds. The General was at the time suffering from his wound, and unable to discuss the question in detail, but he signified his opinion that such a step would be most unadvisable; and I pointed out to the Government the calamitous effects which I felt assured would ensue from a withdrawal at that time, both on the border and in our districts, and the protracted campaign to which it would necessarily commit us. I am glad to know that his Honour recognised the propriety of maintaining our position, as appears from his second minute of the 28th November, when the Supreme Government had expressed their concurrence in the proposition to withdraw the troops.

21. I was also at this time informed by telegram of the exact amount of reinforcements marching to Umbeylah, comprising the 7th Fusiliers, 3d Seikh, and 23d Native Infantry, and which were expected to reach us by the 30th of November. Until these arrived, it was manifestly impossible to attempt any aggressive movement. This reinforcement was contemplated in my original instructions, and subsequently the troops had sustained further losses. On several occasions, I informed the Government that we only awaited their arrival to assume the initiative. All that I could do in the meantime was to endeavour to draw off some of the enemy by negociation. I will not swell this report by detailing these measures and their daily varying results. They were communicated at the time by telegraph, but it is doubtful whether such communications were at all times convenient, for hopes raised in the morning might be disappointed in the evening; and as those on the spot could alone account for these sudden changes, the authorities at a distance were perhaps more mistrustful of a successful issue than they otherwise might have been. It will suffice to record that, favoured by the circumstances above alluded to, I succeeded in drawing off Ahmed Khan, with the greater portion of the Ashezai and Salarazi sections of the Bonair tribe; the Ranizai were also induced to return to their homes, to the number of 2,000; Sohbut Khan of Swat also sent home his immediate followers; minor personages acted in a similar manner; and, amongst those who remained, a mutual mistrust prevailed. These desertions were becoming so numerous that the Akhoond issued denunciations against all who should leave the field, and the Moulvie redoubled his efforts to bring back the wavering.

22. On the 25th I received a deputation from the Bonair jirgah, and both from conversation with them, and with men who arrived at intervals by permission to take away their slain, I felt convinced that the main body of the Bonairwals were really inclined for peace. I was also hopeful that the jirgah would now come to terms, and agree to a brigade passing up the Chumlah valley to Mulkah. The greater portion of them were certainly inclined to do so, but the negociation was broken off by Zaidoolah Khan, who was informed by the Moulvie that his rival,

Ahmed, had received large sums of money from me. It resulted, however, in the retirement of Ahmed Khan, with two important sections of the tribe.

23. Meanwhile the above desertions were more than counterbalanced by the arrival of large reinforcements to the enemy. Some 3,000 men arrived at intervals from Bajour, under Fyztullub Khan, the chief of that country. The Hajee of Koonhar, the spiritual adviser of the Hussunzai, arrived with about 500 men; and his repute for sanctity rendered his advent a matter of great rejoicing to the war party. Still, it is to be noted that, notwithstanding these accessions, the enemy were so divided and mistrustful of each other that they were unable, even on Fridays, to resume their attacks. The force was left unmolested in its position from the 20th November, to our advance on the 15th December.

24. I have alluded to the people of our own villages who had joined the enemy; and I now consulted with Colonel Wilde on the expediency of sending a body of troops, chiefly cavalry, which were of no use to us at Umbeylah, and were located at Murdan, Permouli, and Topee, into the Loondkhor Valley (our own territory) with a view of causing them to return to their villages, and to check the excitement daily becoming stronger on our border villages. The move might further alarm the Swattees, without actually being a demonstration against them.

25. It was, therefore, with much regret I learnt that such a move would not be sanctioned by his Excellency the Commander in Chief, and that a column, including the 7th Fusiliers and 3d Seikhs, was to make a feint upon Swat by advancing to Shereghur. The correspondence on this subject is already before the Government, and I need only remark that, a force advancing in the manner proposed would have halted at Shereghur, and this would have been attributed by the people not to the failure of a mere menace, but to the power of the Akhoond. At the same time, the force at Umbeyla receiving no reinforcements must have remained inactive, and a war on a very large scale would have been the result.

26. It was now the 30th November, and Major General Garvock arrived in camp and assumed the command. Explaining to him the urgent necessity of the case, I suggested that the Shereghur column should not continue its march; but finding that he could not act in the matter consistently with the orders he had received from the Commander in Chief, I appealed to his Excellency, and we were eventually reinforced by the above regiments.

27. I now felt that we were in a position to carry out the instructions I had received from Government, and carefully explained to the Major General the political position of affairs, submitting the following Memorandum, dated 5th December:—

Copy of Memorandum.

"For the last 10 or 12 days the enemy have been in partial communication with me. The great majority of their leaders have expressed a desire to comply with the demands of Government, but some are still averse to such a line of conduct. In consequence of this, several feuds have sprung up amongst them, large sections have entirely withdrawn from the confederation, and they have been unable to unite in sufficient numbers to attack us. I still believe that the peace party will prevail over the others; although, if Ghuzan Khan, a chief expected from beyond Swat, has arrived to-day, as is reported, they may be able to raise an attacking force.

"If, then, the Bonair men agree to withdraw all opposition, and to send their jirgah (council of elders) with me, together with a small body of their men, it will be in our power to advance up the Chumlah Valley, and to destroy Mulkah. My object in associating the Bonair men with us is, to prevent the possibility of any future sympathy between them and the Hindoostanees. This place, if defended at all, would be so by the Hindoostanees, and their number does not exceed 700 men. We could then cross the Surputtee Pass into the Chinglai Valley. The Jydoons have then to be called on for hostages to fulfil their engagements, and a part of their country, south of the Mahabun, would be traversed by the troops, and similar securities be taken from the Otmazai, on the banks of the Indus, at Kubbul, &c. It will then be for the Government to decide whether they will undertake operations against the Hussunzai now or at a future period. I would observe that I do not propose that troops should go to Mungul Thana, or any difficult

difficult country in the Jydoon territory. I purpose calling on the Jydoons themselves to do that.

"If the Bonairwals do not agree to cease from opposition (and it must be remembered that we have never been in a position to attack them, and they are consequently not so sensible of our power), I would propose that, with the superb force now at the Major-General's disposal, we should carry out the above objects by force of arms.

"It is my firm belief that, by driving the enemy out of Lalloo, or rather from their bivouac in its vicinity, and advancing on Umbeylah, we should force the jirgah to come in, and could then continue the operations as above detailed.

"I should be glad if the first supposition is correct; because I believe the Bonair men to be acting from ignorance and under misapprehension of our object.

"If, again, the advance on Lalloo and Umbeylah should not have the effect I have calculated on, I would propose that we should continue the operation either on our present base, or on a new base to be formed by a column moving on Chinglai, as the Major-General may deem best. This being merely a memorandum of my views of the objects to be attained, I do not encumber it with details of route, which I personally gave to the Major-General. I merely remark that, to the best of my belief, founded on very careful investigation, the whole of the country proposed to be traversed is practicable for a force equipped, as this is, with mule carriage and elephants."

His Honor will observe that, politically, it was immaterial which of the above plans of operation was adopted; for, in either case, the first step must have been to drive the enemy out of Laloo, a village ensconced in the spurs of a ridge to our right front, and the village of Umbeylah. I felt assured (and the result shows I was right) that this would suffice to coerce the tribe, and that our subsequent proceedings would be comparatively simple.

28. General Garvock informed me, in reply, that he proposed opening a new base from Chinglee in the Khoodoo Khail country. A brigade was to march on that place simultaneously with the advance of the Umbeylah column up the Chumlah Valley. The latter would open its communication with the former by the Korgah Pass, and then proceed to Mulkah. The sanction of the Commander in Chief was solicited, and his Excellency directed that the other plan should be adopted—viz., that the position at Umbeylah should be maintained, and a column advance up the Chumlah Valley to Mulkah, returning by the same route. The necessary preparations were immediately set in progress.

29. Meanwhile the excitement was spreading far and wide. The Mohmunds on the Peshawur border were beginning to make hostile demonstrations at Shubkuddur for the first time since their signal defeat near the same place in 1852 by the late Lord Clyde. Rumours were also reaching me from Kohat of expected raids by the Wuzeerees and Otman Khail. Emissaries from Cabul and Jellalabad were with the Akhoond, who had been also further reinforced by Ghuzum Khan, the chief of Dheer, and 6,000 men. On the 5th December, the Momunds made a raid into our territories near Shubkuddur, in repelling which Lieutenant Bishop was killed.

30. It must be borne in mind that we had now two parties in our front:—

I. The Bonairwal and Chumlah tribes, originally fighting for their country, but now, I believe, crediting our repeated assertions that we had no intention to invade them. Weary of the war, divided amongst themselves, and subject to innumerable vexations and inconveniences by the presence amongst them of so large a host, they were sincere in their efforts to bring about a peace.

II. The Moolvie and his fanatics, with the Akhoond and his allies, a mixed assemblage of men from far and near, who imagined they were beginning to realize their dream of years—viz., the expulsion of the British from the Trans-Indus.

31. It was truly a formidable and dangerous combination; and feeling that immediate action was necessary to save the Government from a war which would inevitably lead to the most serious complications, involving us not only with all the tribes on our border, and many of our own subjects both in Peshawur and

Kohat, but also in all probability with Afghanistan, I again handed to the Major General the following memorandum, dated the 8th December, urging an attack on the enemy at Laloo.

Copy of Memorandum.

"I have received reports from the Doaba and Hushtnugger frontier, which show that the tribes in those quarters of the valley have commenced openly to plunder in our villages, and to cause general disquiet to British subjects. I have already informed the Major General of some large reinforcements received by the enemy; and it is believed that others are not far off.

"Preparations are, I am aware, in active progress for the advance of a large portion of this force up the Chumlah Valley towards Mulkah; but, by the time that these are completed, it is questionable whether a force entering the plain would be able to advance, leaving the enemy on their flank in such numbers as they then may be, and in that case we might find ourselves in a worse position than at present.

"I would suggest, then, for the Major General's consideration, whether an immediate effort should not be made to attack the enemy, and if possible to disperse them before they are further reinforced, holding our present position and acting aggressively within our scope. Continuing this action from day to day, if necessary, we should recover prestige more than by advancing to Umbeylah and there remaining inactive. It is most likely that if we wait to complete our arrangements to advance, the enemy will be enabled to attack us, and we shall thus lose the advantage of taking the initiative. At the same time that, by the above plan we risk nothing, it may so strengthen us and weaken the enemy as to enable us to carry out our original objects with ease and safety."

32. General Garvock on this, and all other occasions when he considered my suggestions practicable in a military sense, cordially and promptly adopted them. Concurring in my views, immediate preparations were made to attack Lalloo on the morning of the 10th. On the previous evening, however, he received an urgent telegram from the Commander in Chief prohibiting him, in consequence of instructions from the Government of India, from "attempting any operations until further orders." To us on the spot, this could not but be disheartening. But although I had been thus instant in urging an attack, I had not neglected any means in my power to assist the Bonair jirgah to a peaceful solution. When, however, I heard of the large reinforcements to the enemy, I began to despair of accomplishing this. It was, therefore, with some surprise that, almost simultaneously with the receipt by the General of the above telegram, I received intimation from the jirgah that they were coming in.

33. They arrived on the afternoon of the 10th, and remained with me in camp all that night. Every chief of influence was there; and we had several lengthy discussions. The Government is aware that they consented, on their own part, to all my demands, which were—

I. That they would accompany me with a force, and destroy Mulkah.
II. That they would expel the Hindoostanees from their country.

Mindful of the original instructions of Government, I did not insist on any agreement as to the future.

34. They left me, on the morning of the 11th, to obtain the sanction of the Akhoond and his allies to these arrangements, and I at once communicated to his Honor what had transpired, intimating the possibility of the pressure from without being too strong for them, and pointing out the great importance of striking an immediate blow should this prove to be the case. I, therefore, solicited that General Garvock might be authorised to comply with any such requisition I might make, should he deem it practicable on military grounds. A copy of this was repeated to his Excellency the Governor-General.

35. At first, by the complete silence of the enemy, the withdrawal of some of their pickets, and other indications, we were led to expect a pacific reply; but, on Sunday, the 13th, the day fixed for a decision, repeated firing of musketry, welcoming fresh arrivals, and the reports of proclamations by the Akhoond fulminating anathemas against any one who spoke of peace, prepared me for the message which arrived early on the morning of 14th to the effect that the jirgah was

was overruled by Ghuzun Khan and other new comers, and was unable to come in. It was intimated to me, at the same time, that a general attack on our position was determined on, both in front and rear, on Wednesday. I was further advised, if I intended to fight, to do so at once, and that the Bonair men would take no prominent share in the action.

36. It was a critical moment, and I anxiously looked for a reply to my urgent message. It came within an hour. His Honor had communicated with the Commander in Chief, and General Garvock received the authority to act. Feeling the importance of anticipating the enemy's attack, I gave the following memorandum to him, dated 14th December :—

COPY OF MEMORANDUM.

"I have to-day received a final message from the Bonair Jirgah, to the effect that the pressure of the Bajouries and Ghuzun Khan is so great upon the Akhoond that he is unable to counsel peace. At the same time they warn me that the Akhoond is summoning those men of Bonair who returned to their homes, and that many of them will obey the call.

"From the whole tone of the message, I gather that they wish me to understand that, however much they desire peace, they cannot accomplish it till we render it possible for them to act independently of their allies.

"There is now a force of about 4,000 men at Laloo, including some 300 Hindoostanees; and as no attack could be made on Umbeylah with that force on our flank, I would recommend an attack upon Laloo, if the Major-General considers it practicable, simply as an operation to be considered complete in itself, unless opportunity offered during the engagement for extending it.

"Should our success be undoubted, and a severe loss be inflicted on the enemy, it is most probable that the Bonair chiefs will be enabled to act independently of the allies.

"All natives conversant with the character and tactics of the enemy are of opinion that the action at Laloo will be severely contested; and it is not impossible that the force at Umbeylah may both reinforce Laloo and attack the camp during the engagement.

"In order to anticipate the reinforcement of the enemy, I would further suggest that the attack be made to-morrow; and as the enemy has no intimation of our plan, the greatest amount of secrecy possible will be advantageous. The operation may, perhaps, take them by surprise."

37. Subsequently, a qualified sanction was received from the Supreme Government, in which the approval of his Excellency the Commander-in-Chief was rendered necessary to any such movement; but when this arrived, Laloo and Umbeylah were in our hands. I would not be misunderstood in these remarks. I do not imply that such references, under ordinary circumstances, are either inexpedient or disadvantageous, but submit that there are times, and that the present was such a time, when a delay of thirty-six hours would have been fatal. If the force had not advanced when it did, the Government would inevitably have stood committed to a protracted campaign; and this, I know, was quite contrary to their wishes.

38. General Garvock, again cordially supporting me, at once made all necessary preparations, which occupied the greater part of the night. The increasing boldness of the enemy was apparent, from the fact of parties taking possession during the night of all the roads to our rear, preventing our messengers from leaving camp. This appeared to be their sole object, as they vanished in the morning. At sunrise the force advanced in two columns, under Colonels Turner and Wilde; and, driving the enemy rapidly from their first line of works on the ridge to our right, proceeded to assault the Conical Hill, a lofty eminence on which was the chief position of the Hindoostanees. It was carried in a most spirited manner by the 101st Fusiliers. A cantonment to the rear of the hill was fired, and Colonel Turner's brigade had soon possessed itself of Laloo, which was immediately in flames. The enemy then tried their old system of creeping up the rocks to the ridge between Laloo and camp, held by Colonel Wilde's brigade, but when they had advanced near enough the Hazara Goorkhas and 3rd Seikhs were sent down to drive them off; this they did with severe loss to the enemy, and with small injury to themselves. Meanwhile another large party

of the enemy assaulted the camp, and were most severely punished by the 1st Punjab Infantry. In the afternoon not a man of the enemy remained on this side of Umbeylah, and the troops bivouacked for the night on the ridge they had occupied. Our loss on this successful occasion was only about 40 men wounded; that of the enemy was 400 killed and wounded. The smoke of Laloo was seen across Eusufzai, and as far as the trunk-road at Akora, thus telegraphing our success throughout the country.

39. The next day (the 16th) the force descended from the Laloo ridge into the plain. The descent was tedious and difficult, even without opposition, and occupied nearly three hours. Large bodies of the enemy appeared on a spur to the left, leading down from the side of the Gurroo mountain to the plains near the village of Umbeylah. Colonel Wilde's brigade proceeded to assault this; but the enemy retired precipitately before him. Colonel Turner's brigade, descending on the right, advanced across the plain upon Umbeylah, and his left came upon a body of the enemy, composed chiefly of Hindoostanee fanatics, when a very severe contest ensued. Two hundred of the enemy were slain, and the rest retired up the Bonair Pass; the artillery, which had been horsed, coming up in time to pour a well-directed fire into the retiring parties. Large stores of grain were taken in Umbeylah, and the village was then fired. We bivouacked on the spur above-mentioned, and, unfortunately, heavy rain fell throughout the night. Our loss this day was Lieutenant Alexander and 25 men killed, and 3 officers and 80 men wounded. The enemy left 200 bodies on the ground.

40. I must here draw the attention of Government to the fact that, both on the 15th and 16th, the Bonairwals gave signal proof of their sincerity by taking no prominent part in the actions. The men who fought with us were chiefly Hindoostanees, Bajouries, Swatties, and Ghuzun Khan's men. Thus the punishment inflicted fell, as I had hoped and intended, on those who had in such an unprovoked manner joined in the contest, and overruled the Bonairwals in their desire for peace.

41. The above successes at Laloo and Umbeylah had the anticipated results. During the night, Fyztullub Khan and the Bajouries, Ghuzun Khan and his clansmen from Dheer, with the miscellaneous gathering from more distant parts, were all in rapid flight towards their homes. The Akhoond, with the Khans and people of Swat, alone remained on the crest of the Bonair Pass—not, as before, with flaunting standards, but behind the hill, out of sight, and all prepared to run in the event of our advancing. Thus enabled to act independently, the Bonair Jirgah returned to me on the morning of the 17th, not even talking of terms, but simply asking for orders.

42. It was now open to us to adopt any course most convenient to ourselves; and I had to consider which would be most advantageous to the present and future interests of Government. The first plan which suggested itself was to send a strong brigade, fully equipped, to Mulkah, to destroy that place, and to return by the Chumlah Valley to Umbeylah. If this could have been done at once, I think it probable that I should have adopted it; but I ascertained that it would be necessary to call up another convoy from Permouli, and that an interval of certainly seven days must elapse before the brigade could be ready. What might be the effect of this delay? The ever-active Moolvie and Akhoond would have employed it in recalling many of the fugitives; other reinforcements were on their way to join the enemy, and it would have spread over the country that our success was not complete. Moreover, the Amazai, Mudda Khail, Esazai, and other northern tribes would have had time to collect and organise resistance; so that the destruction of Mulkah would not have been accomplished without considerable loss. On the retirement of the brigade, there would have been no guarantee that the Hindoostanees would not return to Mulkah by permission of the neighbouring tribes, stirred up by our proceedings. Nor was this all; references were now made on all points of detail to his Excellency the Commander-in-Chief, and it is more than probable that the seven days would thus have extended to ten or more.

43. It next occurred to me that, by requiring the Bonair men to destroy Mulkah without any aid from our troops, we should at once complete our success, avoid collision with distant tribes in a rugged country, and cut off from the Hindoostanees every hope of a resettlement on the spurs of the Mahabun. For the Bonair men must associate themselves with the Amazai and Mudda Khail, and these tribes having committed themselves thus openly against the fanatics

fanatics was our surest guarantee that they would not readmit them. But the destruction was to be real, not nominal; and it was therefore necessary that some British officers should accompany the Jirgah to see the work carried out. This necessitated sending an escort with them sufficient to protect them from any individual or factious act of treachery; of more extended faithlessness I had not the slightest anxiety. Half the Jirgah would remain with me, our force was in possession of the Chumlah Valley, and Bonair itself at our mercy. At the same time I knew that Mulkah was deserted, and that there could be no opposition which the Bonair tribe would be unable to overcome. We had, further, on the two previous days, a marked instance of the sincerity of the jirgah.

44. Having duly explained these circumstances to the Major-General, and obtained his concurrence, I made the following requisitions on the Bonair Jirgah :—

I.—To dismiss the army of all kinds on the Bonair Pass.

II.—To send a party to destroy Mulkah completely, to be accompanied by British officers and such escort as might be considered necessary.

III.—To expel the Hindoostanees from the Bonair, Chumlah, and Amazai lands.

IV.—To leave as hostages the whole of their chief men till the above requirements should be fully carried out.

They had a short discussion amongst themselves, and unanimously consented to meet all these demands.

45. Leaving with me the greater part of their number, a few returned to the pass, and by the next morning the army on its crest, including the Swat Khans and people, were hastening to their homes. On the evening of the 18th, a party was in readiness at Muskipore, near Umbeylah, to proceed with our officers. I deputed Colonel Taylor, C. B., as the political officer with the Jirgah. From the first he had been unremitting in his inquiries regarding the nature of the country; and, as his Honor must be well aware, an important and delicate duty of this kind could not have been entrusted to safer and more chivalrous hands. The whole of the Regiment of Guides, under Captain Jenkins, was selected as his escort, representing the three great bodies of our native army, Pathans, Goorkhas, and Seikhs; and he was accompanied by Colonel Adye, Royal Artillery, C. B., Colonel A. Taylor, Royal Engineers, C. B., Major Roberts, V. C., of the Quarter-master General's Department, Major Johnstone, Revenue Survey, Major Wright, Deputy Adjutant General, and Lieutenant Carter, Royal Engineers. With him was also detached a body of the levies under Azeez Khan, our own chief of Sudhoom.

46. Some of the troops at Umbeylah returned to our old position on the pass, and I then obtained permission for the following regiments to return to their stations on the frontier. Many of them had suffered much, and required rest; whilst their march homewards would tend to check the excitement now too surely manifested along the border :—

1st Punjab Infantry,	to	Abbottabad.
5th ,,		Kohat.
6th ,,		Bunnoo.
20th Native Infantry,		Peshawur.

47. In heavy rain Colonel Taylor's party advanced from Umbeylah on the 19th, and reached Kooriah, at the upper end of the Chumlah Valley, that evening. Here they were hospitably treated by the people, and the houses of the village were placed at the disposal of the troops, who were unprovided with tents (except the cavalry). Owing to continued rain they were compelled to remain there during the whole of the 20th; and it then became apparent, from the diminished numbers of the Bonairwals, that the Jirgah intended to carry out their engagements by friendly overtures to the Amazai, rather than by coercion. Colonel Taylor, fully appreciating the policy which had been adopted, and especially supported by the evident frank determination of the Bonair Mullicks to fulfil their engagements, wisely determined to acquiesce in this plan of operations,

tions, and on the morning of the 21st, the weather having cleared, continued his march.

48. On turning to their right, the party entered the Amazai lands of the valley, leading up to the spurs in which Mulkah is situated. On arrival at Nuggree, a party of the Amazai, under their chief, Mouzah Khan, appeared on a hill, with standards and drums. To those unacqainted with the real nature of the case, it must have seemed a critical moment, and undoubtedly it was one requiring the utmost tact and firmness on the part of the political officers. I need not inform his Honor that in Colonel Taylor we had one who eminently possessed those qualities. The Bonair chiefs, advancing, held council with those of the Amazai, and the army of the latter withdrew. Mouzah Khan and their other headmen now joined Colonel Taylor, and with this accession of strength the party proceeded to Mulkah, where it arrived late in the afternoon, and took up its quarters for the night.

49. Mulkah is described as situated on an elevated plateau on a northern spur of the Mahabun ridge. It was a much larger and more substantial place than any known in those hills, containing several large edifices; amongst which the Moolvie's hall of audience, barracks for the soldiers, stabling, and a powder manufactory, formed conspicuous objects. There were no regular fortifications, but the outer walls of the houses were connected, and formed a continuous line of defence with posterns. There was also a tower at the gateway. The place was found deserted; and, on the morning of the 22d, the Bonair and Amazai men, with the levies, commenced to burn and destroy it. An effort was made by the Amazai to save a large portion, on the plea that it had been occupied by men of their tribe, and not by the Hindoostanees; but Colonel Taylor judiciously overruled this, and the place was completely destroyed by noon. The escort witnessed the burning, but were in no way employed in the work of destruction.

50. The party returned to Kooriah that evening, and again passed the night there. On the 23d they marched into camp in the Umbeylah Pass, accompanied by some of the Amazai Mullicks. On the following day I had final interviews with the Bonair and Amazai Jirgahs, who were then dismissed—the former having thus shown themselves as faithful in the performance of their engagements as they had been brave in the day of battle. The troops commenced their return to the plains, and on the 25th December we were all again collected at Nowakillah.

51. I am sensible that the policy I pursued in this instance has been much canvassed, but am confident that when the Government receive the above detailed record of the circumstances they will approve of it. It was successful: and I have the satisfaction of knowing that, whilst it secured every object of the expedition in that quarter, our officers and troops marching unmolested up the Chumlah Valley to Mulkah, after the dispersion of a most formidable coalition to prevent it, and the bravest and most powerful tribe on the Peshawur frontier so completely subdued as to carry out in our presence, and at our dictation, the very measures we have proposed to accomplish ourselves. It was, at the same time, a dignified and moderate use of victory, which was fully appreciated, and will not be readily forgotten by the tribes concerned.

52. The sanction of Government was now obtained for a brigade to accompany me, for the purpose of requiring security from the Jydoons and Ot manzai; and the following troops were placed at my disposal, under the command of Colonel Wilde, C. B.—viz., Her Majesty's 101st Royal Bengal Fusiliers, Hazara and Peshawur Mountain Trains, 3d Seikhs, Guides, Hazara Goorkhas, 3d Punjab Infantry, and a Company of Sappers—the remainder of the troops being permitted to march to their respective cantonments. These arrangements being completed, the brigade was about to march, when it was ordered to halt till further orders—his Excellency the Commander in-Chief (then at Nowshera) not being aware at the time that the movement had been sanctioned by the Governor General.

53. The excitement on the border was, at the same time, much increased by the despatch from Peshawur, by order of the Brigadier-General commanding, of a body of troops of all arms to the Doaba outposts, consequent on a report he had received from the officer commanding at Abozai of the approach of 6,000 Mohmunds—a report not confirmed by the civil officer of Peshawur, and which proved to be incorrect. I have separately reported to Government the incidents connected with the Mohmund demonstration, and need not further dwell on it here;

here; but these events rendered it more necessary than ever that our work on the Indus should be rapidly completed, and tranquillity restored in that direction. On an explanation of the circumstances permission was received for Colonel Wilde's brigade to advance, and we marched from Nowakilla on the 28th December.

54. The greater part of the Jydoon chiefs had remained with us ever since the commencement of operations; but Mullick Eesa, the one most favourable to the Hindoostanees, and some others, had not done so. I had, therefore, previously allowed them all to return, with instructions to meet me at Maini, a village in our own territories, on the borders of their country, and there to give me security for the future.

55. You are aware that the tribe is divided into two chief sections, the Munsoor and the Salar. The former have generally formed the recusant party in all dealings with us, under the leadership of Eesa Khan; but associated with him has been Jehangeer Khan, of the Salar section. Their attitude during the recent campaign had been, upon the whole, satisfactory. Most of the chiefs continued with us in camp, and there was no general collection of any portion of the tribe against us. Individuals undoubtedly joined the enemy, but to nothing like the extent of our own subjects. After much inquiry, I could only trace two men of the tribe who had been killed or wounded. At the present time, the main body were undoubtedly in a state of alarm, and ready to fulfil anything required of them.

56. It was notorious, too, in the country, that much of their misunderstanding with us, in the first instance, arose from the rivalries and intrigues of our own Khans employed in our dealings with them. On this account, I sent with the returning chiefs only Mean Mohamed Shah of Ismailah, a man who had frequently done us service, whose character as a Meân was respected, but who had no purposes of his own to work out.

57. We arrived at Maini on the 30th December, and on the following day all the chiefs of the tribe had assembled in the villages of Beesuk and Gundup, the headquarters of the Munsoor and Salar sections respectively, and both situated about four miles in our front. Eesa Khan was with them; but, actuated by fear, he did not come in to me with the rest, though he counselled them to perfect submission. On my sending again to him an intimation that I had no wish to consider him more culpable than the rest of the clan, and cautioning him not to believe the threats held over him by interested parties, he also came in, and joined the Jirgah.

58. On the 1st January, I had a discussion with them on the subject of their offences, which they admitted; but pleaded in extenuation that they had, in the first instance, informed the authorities of the arrival of the fanatics at Sittana, and had offered to accompany our troops to expel them. This was true; but I pointed out to them that such assistance had formed no part of their original stipulation, and that, if they had been so inclined, they could easily have prevented their return. They also pleaded that they were under the impression that the return was authorised, as the Syuds were in possession of an order from Lahore to that effect. The circumstances connected with this order are, I believe, already known to the Government. It had been artfully misinterpreted and made use of by the Hindoostanees; but I much doubt whether the Jydoons had been really deceived by it. I told them so in reply, and added that if they had any doubts they had simply to ask whether it was the case or not.

59. It remained, then, simply to take guarantees for the future. The nature of these had been left by the Government to be determined according to circumstances; and although I had supposed that hostages would be necessary, there were difficulties about this which rendered some other course preferable. The present factions in the tribe are so numerous that, to make such a step sufficiently binding, hostages to the number of 50 or more must have been taken. Some of the more distant sections would probably have demurred, or been dilatory; and the troops would thus have been delayed, or forced to advance further into the country—which I had been most strictly forbidden to do.

60. When the Syuds and Hindoostanees returned, in July last, they occupied Mundee, a place adjacent to Sittana, and built there a kind of fort of loose stones. The village itself belongs to Syuds not connected with Mobarik Shahs' family; and it had been spared in 1858, as they were considered to be not blame-

able for what had then happened. As the Hindoostanees had, however, again found the place ready to their hand, and occupied it, it became as necessary to remove a powerless as a disloyal colony. By requiring the Jydoon and Otmanzai to perform this work, we should have a similar guarantee in their case as we had in regard to the Bonairwal and Amazai at Mulkah. Believing this to be a more complete and satisfactory termination than the taking of hostages, I made a demand on them for its execution, and they expressed their consent.

61. During the night, however, worked on by interested parties, and at the instigation of Jehangeer Khan, the men of Gundup left the camp, and declined to be parties to the agreement. The ostensible cause was declared to be that it was proposed to take the force *viâ* Gundup, the direct road to Kubbul, which portended mischief to the village. It was a case to be promptly met; and therefore Colonel Wilde proceeded, on the morning of the 2nd, to Gundup, occupying the ridge at the foot of which it is situated, and thus holding it completely at his mercy. It was a large place, with a thousand houses, and full of cotton and other property. Most anxious not to be forced to extremities, we sent men of the Jydoon Jirgah (all of whom accompanied me, together with those of the Otmanzai) to reason with the Gundup people. The result was that they all came in, and agreed to join with the rest in the allotted work. We returned to Maini, therefore, without a shot having been fired.

62. On the 3rd we proceeded to Kubbul, where the Otmanzai were formally associated with the Jydoons; and leaving the camp there I went, on the 4th, to Mundee, accompanied by Colonel Wilde and a portion of the troops. It had been recently much improved, and contained some substantial houses. The whole was destroyed and burnt by the jirgahs, and the walled enclosure, denominated a fort, was levelled. We found Sittana still a ruin, as it had been left by Sir S. Cotton. On the 5th we returned to Pihoor, where the Jydoons and Otmanzai executed fresh agreements, individually and collectively; and, at their intercession, the Gundup men were pardoned for their foolish conduct on the 2nd.

63. Major Coxe, Deputy Commissioner of Hazara, had been, as you are aware, with the troops at Derbund, watching the Hussunzai and protecting the Umb territory. He had visited me at Maini, and again at Kubbul, where the young chief of Umb, Akram Khan, was also with me at the destruction of Mundee. If the Amazai Jirgah with Mouza Khan, and that of the Mudda Khail, now came in, and agreed to keep the Hindoostanees out of their lands, the circle of the Mahabun would be completed. I had instructed Major Coxe to summon them for that purpose, and the advance of the troops to Kubbul and Mundee tended to hasten their movement. Both Jirgahs came in to the Deputy Commissioner at Derbund, and I annex copy of his report (No. 8—47, of 20th January) on the subject.

64. All the objects of the expedition Trans-Indus having been thus accomplished, and the season being too far advanced for any active measures against the Hussunzai of the Black Mountain, Colonel Wilde's brigade was broken up, and the troops returned to their respective cantonments. I may mention, however, that the Hussunzai Jirgah, with the exception of one man, have since come in, and arrangements are now being made with them for satisfaction being given to the Umb chief for the injury committed on his villages.

65. We had thus driven the Hindoostanee colony from the whole of the territory indicated by the Supreme Government. As formerly intimated, they never exceeded 900 in number, and of these fully half had been killed and wounded at the Umbeylah Pass. The remnant were now fugitives, partly in the remote mountains of the Trans-Indus Hussunzai, and partly with the Moolvie and Akhoond on the confines of Swat. Our proceedings and arrangements effectually closed to them the spurs of the Mahabun and Bonair. If they remained in the more distant regions to the north, they could not easily be reinforced from India, and would cease to be of any importance. But the Akhoond has been exerting his influence to obtain for them a residence in Swat; and, although as yet unsuccessful, he may finally succeed in establishing them there. Feeling that the entire eradication of the colony was our only real security against such acts as those which necessitated recent operations, I seized the opportunity of their present state of helplessness and discomfiture to offer them a free pardon for the past, on condition of their returning to their homes, in which case I promised them their road expenses. The Moolvie is naturally opposed to such a course, which would leave him a solitary adventurer in these mountains; but

I am

I am hopeful of a successful issue, and trust that I may soon have the pleasure of reporting to Government the complete removal of the colony. Having set this measure in train, I returned to Peshawur on the 8th January.

66. In reviewing the events above recorded, there is, doubtless, much to cause deep regret; but the fact remains unquestionable that, in the face of a determined opposition on the part of the most formidable and dangerous combination ever brought against us on this border, the original objects of the expedition have been perfectly accomplished. In endeavouring to defeat those objects, the united tribes have lost, in killed and wounded, 3,000 men; and the power and prestige of the Akhoond of Swat, hitherto a dreaded source of danger, has, in a manner unsought by us, been tested and overborne. The colony of fanatics so perseveringly hanging on our border, a blemish on our administration in peaceful times and an element of danger in troublous periods, has been half destroyed, and forced to retreat to more inhospitable and uncongenial regions, and will shortly, I trust, be eradicated for ever. We shall never cease to cherish the memories of the fallen brave; but if, with the experience we have acquired on this and former occasions, we set ourselves to the work of establishing a more friendly intercourse with the rude but not wholly unamenable tribes around us, the blood and treasure so freely spent on those crags will not have been in vain, and a period of rest and tranquillity may yet date from the occupation of the Umbeylah Pass. This, however, entails certain changes in the political and military administration of the frontier, on which I purpose to address you separately.

67. Before concluding this report his Honor will, I trust, allow me to say a few words on the conduct of the troops. Their general bearing throughout an unusually harassing and trying campaign will be doubtless brought elsewhere to the notice of Government; but there are a few circumstances connected with it which may appropriately be referred to here. You are aware that at one period reports were received, on what was supposed to be reliable authority, that some of the Seikh regiments with us were about to declare against us. There was never the slightest ground for this rumour. At the very time it arrived, the Seikhs were fighting bravely and falling in our cause. It was simply one of those mischievous rumours which were being recklessly circulated throughout the country by officious but irresponsible native agents. It is also a fact well worthy of being noted by the Government that, under very peculiar circumstances, the Pathan portion of the troops gave signal proof of their loyalty. It cannot be supposed that to fight against the Akhoond was more agreeable to them than to other Mahomedans; and yet in no single instance did his advent amongst the enemy influence their conduct. Throughout the campaign desertion was unknown; and I believe that when the statistics are drawn up, it will be found that the casualties amongst the Pathans were fully as numerous as those of any other race—and this although many of our soldiers were closely allied to some of the hostile tribes. On one occasion, when the enemy came to our pickets to remove their dead, a young sepoy of Bonair had the pain of recognising his own father amongst the slain! These are surely incidents which will not be overlooked by the Government.

68. I have now only, in conclusion, to notice the services of officers and chiefs associated with me. I have above referred to the important duties entrusted to Colonel Taylor at Mulkah. After I had relieved that officer, on 18th November, he continued with the camp, and afforded me on all occasions the great benefit of his counsel and support.

Major Coxe, Deputy Commissioner of Hazara, was with the detachment at Derbund. His co-operation was most valuable, not only in preserving the peace on the Upper Indus, but in preventing several tribes from joining the enemy who would otherwise have done so. His final arrangements with the Mudda Khail and Amazai were a fitting conclusion to the campaign. Captain Munro, Deputy Commissioner of Peshawur, was employed first with Colonel Taylor, and afterwards with myself at Umbeylah, and rendered to both of us very able assistance.

I have great pleasure in recording the services, at Peshawur, of Lieutenant Hudleston, who retained charge of the district during Captain Munro's absence, and by his good judgment and tact did much to preserve the peace of the border.

It might well have been expected that at Kohat, the garrison of which had

been so much reduced, disturbances would have occurred. More than once, indeed, they threatened; but we are indebted to the promptness and judicious arrangements of Captain Shortt, Deputy Commissioner of Kohat, for their suppression.

Lieutenant Sandeman was actively and energetically employed, both at Umbeylah and in Eusufzai, and I recommend him to the favourable notice of Government.

The services of Lieutenant Powlett, from Goojranwalla, were at a later period placed at my disposal; and, as personal assistant, he afforded me very willing aid.

For the admirable postal arrangements thoughout, the force is indebted to the active care of Mr. Faichnie; and the services of Mr. Brown, inspector of the Telegraph Department, under difficult circumstances, were most creditable to him.

69. Of native chiefs, on this occasion, I regret that I have but a limited number to notice. I will not pause to comment on the general apathy and indifference which I observed amongst those who could have rendered us important services but failed to do so, but will proceed to the few bright exceptions of men who brought their entire influence and energies to bear in our favour.

Chief amongst these were Ajab Khan and Azeez Khan, of Sudhoom. They are brothers, and allied by marriage to two of the principal khans of Bonair. From first to last their active co-operation was conspicuous, and in the highest degree valuable. They were called upon to furnish a contingent of 120 men, and they not only selected a really useful body, but kept up nearly double the number at their own charges. To these khans and their men were entrusted a part of the breastworks, the convoy of dâks, stores, and officers through the Sherdurrah Pass; and the duties cheerfully performed by them throughout were incessant, and accompanied at times with considerable danger. They afforded a strong contrast to the useless bodies of men furnished by the other khans of the district, who were wholly unable to take upon themselves the most trivial duties. Ajab Khan and Azeez Khan were further constantly employed by me in difficult and delicate business connected with my negotiations, and in every way they proved themselves loyal and true to the British Government

Closely associated with them was Mean Mahomed Shah, of Ismailah, who on all occasions exerted himself honestly in our cause. I trust his Honor will allow me to recommend a fitting reward for these three deserving men.

The Government will be prepared to hear that Khwajah Mahomed Khan, of Kohat, fully sustained his high character for loyal assistance always rendered by him on such occasions. By his good management he was enabled to frustrate several attempts to raise disturbances on the Kohat border.

Extra Assistant Commissioner Dhunraj in the Doaba, and Atta Mahomed Khan in Eusufzai, performed good service.

If to the above I add the names of Futteh Khan Momund, Surbilund Khan Momund, Shahpussund Khan of Goolbalah, Afreedee Khan of Mullazai, and Fyzoolah Khan of Charpareezah, who were all actively rendering service, I think I shall have exhausted the list of men especially deserving favourable notice.

Copy of a Letter, No. 8—47, dated 20 January 1864, from Major *Coxe*, Deputy Commissioner, Hazara, to the Commissioner and Superintendent Peshawur Division.

I have the honour to report that, according to your instructions, I summoned the Jirgah of the Mudda Khail to meet me at Derbund, and also that section of the Amazai which had not previously waited on you at Umbeylah.

2. I had an interview with the Mudda Khail on the 9th January. The heads of the tribes stated that they were actuated by no feelings of favour for the Hindoostanees in joining the enemy's ranks at Umbeylah; that, on the contrary, the tribe had on a former occasion assisted the Tunowlee chief against them: neither, said they, did they entertain a hostile feeling towards the British Government, but were compelled by a pressure of the neighbouring tribes, which they were unable to resist, to join the hostile movement organised by the Bonairs and Swattees. They professed themselves ready in future to maintain friendly relations with the Tunowlee chief, and promised that they would on no account grant the Hindoostanees

doostanees countenance or habitation within the limits of their country. The heads of the tribes executed an agreement to the above effect in my presence, and the council was then dismissed with the usual presents.

3. I saw the Amazai jirgah on the 11th January. This section of the tribe has, as you are aware, been uniformly friendly to the Tunowlee chief; and the leader of this clan, Mouza Khan, is highly regarded by the Umb Minister. The jirgah readily entered into an agreement to exclude the Hindoostanees altogether from their limits, and were dismissed with consideration.

4. Copies of these agreements will be forwarded immediately.

5. I have reported on both these tribes, their numbers, geographical position, and relations with the Tunowlee Chief, in my letter to your address, No. B., dated 2d September 1863, paras. 4 to 12, to which I would beg to refer you in case you should require further information concerning them.

6. The only northern tribes bordering Tunawal and British territory which have not come and tendered their submission, are the Hussunzai and Akazai. The latter, however, may be regarded for political purposes, and dealt with as a branch of the Hussunzai. I reported on these two tribes in the letter above quoted, paras. 13 to 26.

7. A large and influential party among the Hussunzai are anxious to come in to me at Durbund, and a considerable portion of the jirgah, headed by the Haji, their religious leader, is now assembled at Koonhar with that intention; but Kabool Khan, the son of the late Chief, Hussan Ali Khan, who was the leader in the aggression on the Tunawal villages in September last, still holds out; and the remainder of the jirgah do not appear to be able to make up their minds to come without him.

I believe that Kabool Khan is worked upon by evil-disposed parties, possibly among the subjects of the Government; but I hope within the next two or three days to receive a definite answer from the Hussunzai jirgah, and shall then do myself the honour of reporting at length on the subject.

Copy of a Letter from Major *H. R. James*, Commissioner and Superintendent, Peshawur Division, to the Secretary to Government, Punjab (No. 26); dated Peshawur, 9 February 1864.

In continuation of my letter, No. 9, of 26th ultimo, reporting events connected with the recent expedition, I have now the honour to transmit copy of a letter dated 2d instant, from Colonel R. G. Taylor, C. B., narrating, in further detail than I was able to do, his proceedings at Mulkah. It is accompanied by a spirited pen-and-ink sketch of the place in a separate packet.

2. Colonel Taylor has also forwarded to me a description of the route and sketch of the country, which shall be sent to you as soon as I can have them copied.

Copy of a Letter from Colonel *Reynell G. Taylor*, C. B., late officiating Commissioner, Peshawur, to Major *Hugh R. James*, C. B., Commissioner, Peshawur, dated Umbeylah, 2 February 1864.

Having been deputed by you to accompany the Bonair Khans and their force proceeding to destroy the cantonments of the Hindostanee fanatics at Mulkah, I beg, according to your request, to report on the completion of the task.

Before leaving Huzara, I forwarded to you a rough-sketch map and description of the road traversed; also a sketch of the general appearance of the northern slopes of the Mahabun mountain, showing the nature of the site occupied by Mulkah, &c. Both of these I intended to accompany this Report, which has been unavoidably delayed by a hasty journey and other duties.

I have now to detail briefly our progress from the camp at Umbeylah to Mulkah and back.

The Guide Corps under Captain Jenkins proceeded on this duty as escort, as arranged by you.

The following officers also accompanied Lieutenant Colonel Alexander Taylor, C. B., Royal Engineers:—

Colonel Adye, C. B., Adjutant General of Artillery.
Major Roberts, V. C., Quarter Master General's Department.
„ Wright, Assistant Adjutant General.
„ Johnstone, Survey Department.
Lieutenant Carter, Trigonometrical Survey.

The following Bonair Khans had been appointed by you for the above-described duty, viz.:—

Aseen Khan, of Bojkutta.
Ahmed Khan, of Buggrah.
Zydullah Khan, of Duggur.
Bahadoor Khan, of Bojkutta.

Azeez Kahn Bahadoor, of Suddhoon, in our own territories, was also deputed to accompany me.

On the 19th of December we marched from Umbeylah to Kooria, a distance of eight miles, in heavy rain. We found the village in a great measure deserted by the women and families; the men were present. I believe the families to have been removed on the occasion of our late successes, the fear probably being that they might be followed by the devastation of the Chumla Valley.

The Bonair Khans and men of the village appeared very anxious to arrange for our accommodation, and, the weather being very bad, the whole of the infantry of the Guide Corps were received into the houses of the village for the night.

The Bonair force was reported to have taken shelter in the surrounding villages during the bad weather. It continued to rain during the whole of the 20th; so that we were unable to move on. I regretted this the less, as Aseen Khan, the Bonair Chief, who had evidently been entrusted with the conduct of affairs by his fellows, had gone on in front, in order to hold communication with the Mullicks of the Amazai tribe, and had expressed a wish that I would not move on until he had reported on the state of affairs. His Report came too late to be of use on that day, and our march had to be delayed till the morning of the 21st.

Aseen Khan reported that he had arranged matters with the Amazai, and there would be no obstruction on the road. We marched on the following morning to Nuggree, seven miles. The road soon after leaving Kooria enters a narrow defile cut by the Nuggree stream through the end of the long spur of the Mahabun Mountain, which descends from the Surputtay Crest (see sketch map, also Peshawur District map) to the Burrundoo River, and divides the Mahabun and Nuggree Valleys from that of Chumla. This defile, which I have alluded to in another Report as the Sheregurh Durrah, is highly defensible; the road for about a mile follows the strong bed of the nullah, and then turns up over a spur of the ridge; not a very stiff one, but it would be a good place for a stand to resist invasion.

On arrival at Nuggree, matters looked a little doubtful for a time. The Amazai collected in the village of Shah Adum on our line of march, showing standards, &c.; and it was known that they had been joined by parties of the Muddakhail.

The Bonair Khans were, however, calm and firm, and I trusted fully to their being able to carry out the engagements they had entered into with us, although, as had previously become evident to me, they intended to do so by moral, rather than material, influence, their army having dwindled to very small proportions. The excuse of the bad weather was made for this; but I knew perfectly well that it must be intentional, and that they probably knew very well what they were about. Pathans are odd reasoners, and the Mahabun tribes might have objection to submit to have Mulkah burnt apparently by the material influence of an adequate force, whilst they would be content to see it done by the Bonair Khans alone, representing as they would the whole power of the tribe. I mentally acquiesced in the probable correctness of the principle on which the Bonair Khans were acting, but yet had some anxiety, lest folly or angry feeling might bring on some chance collision when the absence of material support might have told against us.

The Bonair Khans, after some exchange of messages, went forward to Shah Adum, and, after a little time, matters were arranged, and we moved on.

This interruption had thrown us back in time, and it became necessary to pass the night at Mulkah.

In

In my memorandum on the road, the approach to Mulkah is fully described. We reached it just at dusk, and found it to be a considerable place, capable, I should say, of accommodating 3,000. The barracks, built in the best hill fashion of long pine logs, were very ample and good.

The main ridge of the Mahabun, which appeared to be close above us, was covered with snow. The position occupied by Mulkah, in a sequestered valley of the Mahabun Cup, completely encircled by the lofty ridges of that mountain, was certainly to all appearance a most secure one; and I have no doubt but that on its selection many congratulations were exchanged on the supposed fact that at any rate it was safe from the influence of the accursed Frank. The sketch appended will give a general idea of the appearance of the settlement and of the hills that surround it.

On the morning of the 22d we fired the place, which, owing to the quantity of fine timber, burnt furiously, sending a large column of smoke high in to the air, which was what we wanted. Sittana had been re-occupied, contrary to agreements; we had been abused and insulted, and our villages had been attacked, and here, by God's help, was the result.

An attempt was made, first by the Amazais, and secondly by the Bonair Khans, backing their requests to get a part of the town spared as Amazai. The request was embarrassing; I knew that the Amazai would like to get it spared for the name of the thing, and that the Bonair Khans, though fully loyal in their intentions towards us, would not be sorry to be able to throw this little sop to the Mahabun tribes.

Here Azeez Khan, of Suddhoon, backed me up well. I went to see the portion of the place it was desired to beg off, and found it was far too considerable to be spared. I knew that the Amazais would report that their Mulkah had been spared, and that we had only destroyed the Hindostanee portion; whereas our concern was with the whole lodgment, which had been a hotbed of hostility to us, and was quoted through the country as the head quarters of men who learned war expressly to assail and injure us. I therefore told Azeez Khan that it would not do, and that he must have the whole burnt; he acted on this, and the destruction was completed. While the destruction was going on, some of the Amazai tribesmen left and went down the valley, and reports soon came up that they and the Muddakhail were gathering again below; Aseen Khan accordingly went off, and speedily arranged matters, calling on our baggage, which had been halted on the above untoward report.

I spoke to the Amazais who were present, but they were sullen, and not inclined to answer in a good spirit; they were saved the trouble by Zydullah Khan, the Bonair chief, who stepped in front of them, and grasping his beard with his one remaining hand, said, "I am answerable for these men, both for their conduct now and for their excluding the Hindostanees in future." The Amazai Mullicks must have felt as I did, that they had better have had the grace to speak for themselves, as the result of the conversation left them, as the expression is, "nowhere."

The incident illustrates the fact, that the Mahabun tribes, though strong and not to be despised with their stiff country, are yet powerless to resist the will of Bonair. If things at times had looked a little lowering and uncertain, it was but the natural result of our position; our task had taken us through a narrow defile into a cup of wild mountainous country, that had never previously been visited by our troops. Here we found ourselves in the presence of strong tribes, certainly not over well pleased with their visitors, or the errand on which they had come; but from the first I felt confident that the representatives of the stronger tribe that accompanied us could carry out their engagements and over-awe the would-be recusant.

The spectacle of a tribe like the Bonair doing our bidding and destroying the stronghold of their own allies in the war at a distant spot, naturally under the protection of other tribes of well-known prowess and strength, with British witnesses looking on, must have been a thoroughly convincing proof to the surrounding country of the reality of our success, and of the indubitable character of the prostration felt by the powerful Bonair tribe, which had been the foremost in opposing us.

You have been kind enough to signify your approval of the manner in which the duty you entrusted to me was carried out in personal communication.

Political Department.—No. 22.

Sir *C. Wood* to the Governor General in Council.

India Office, 25 April 1864.

1. I HAVE received and considered in Council the Despatches of your Excellency's Government, Nos. 40 and 41, of 8th and 9th March 1864, enclosing the reports of the Lieutenant Governor of the Punjab, of Major James, and of Lieutenant Colonel Reynell Taylor, on the operations recently undertaken against the frontier Hindostanee Mahomedans, formerly settled at Sittana, and those which were rendered necessary by the attack made upon our forces, whilst employed on this service, by the Bonairs and other neighbouring tribes.

2. Those operations have been conducted with great skill by the military officers employed, and the negociations with the tribes no less so by the political officers who accompanied the force.

3. The result has been eminently successful; and it is a source of great satisfaction to Her Majesty's Government that peace has been re-established upon the frontier, and that there is every prospect of the continuance of that feeling of confidence among the several tribes, which, under the reassuring explanations of the officers of your Government, has taken the place of suspicion and alarm.

4. It is needless for me to advert to the views expressed by your Government on the policy to be pursued towards the tribes on our frontier, as in my Despatch of the 16th January, to which your Excellency refers, I have communicated to you the sentiments of Her Majesty's Government upon this subject.

5. It remains, therefore, only that I should inform your Excellency that Her Majesty's Government heartily concur in the commendation which you have bestowed upon the principal military and political officers who have conducted these operations to a successful close. The services of Sir Neville Chamberlain and General Garvock will be noticed in the military department. The excellent judgment displayed by Major James, in his negociations with the tribes, and especially the manner in which he converted the Bonairwals into serviceable allies, and employed them in the destruction of the stronghold of the fanatics at Mulkah, indicates the possession, in a still higher degree, of those qualities which had already earned for him the confidence of your Excellency's Government; whilst Lieutenant Colonel Taylor, who, as is observed by the Lieutenant Governor of the Punjab, was, "by a generous and graceful concession," deputed by Major James to superintend, in a political capacity, the operations against Mulkah, has also earned the thanks of Her Majesty's Government by the judicious manner in which he performed the duties then entrusted to him.

(signed) *C. Wood.*

APPENDIX.

Appendix, No. 1.

From Lieutenant-Colonel *H. B. Edwardes*, C.B., Commissioner and Superintendent Peshawur Division, to *R. Temple*, Esquire, Secretary to Chief Commissioner Punjab, Political Department, Camp Abbottabad, 14 May 1858.

Sir,

The supreme Government having desired the punishment of Mokurrub Khan, chief of Punjtar, and of the Hindoostanee fanatics of Sitana on the Indus, as soon as Major-General Cotton should be strong enough at Peshawur to detach a sufficient force for that purpose, and the General and myself being of opinion that the time had arrived, the force noted in the margin* assembled on the left bank of the Cabul river, opposite Nowshera, on 22d April, under the Major-General's immediate command; and I considered it my duty to accompany it. I have now the honour to report the result of the several operations.

TOTAL OF ALL RANKS.

Arm.	Europeans.	Natives.	Total.
Artillery - - -	131	88	219
Cavalry - - -	16	535	551
Infantry - - -	632	3,475	4,107
Grand Totals -	779	4,098	4,877

2. On 25th April, the force reached our frontier Eusufzye village of Selim Khan, opposite the mouth of the Punjtar valley; and General Cotton's staff and myself, in two separate parties, proceeded immediately to reconnoitre the position which it was proposed to attack on the morrow. The Chief Commissioner is aware that the approaches to Punjtar are held by the people at Tatallye, who have for several years been resisting the payment of tithes demand by Mokurrub Khan; and that Mokurrub Khan's enmity to us originated in our refusing to lend him troops to enforce this demand on the clan. When therefore the Tatallye people saw us approaching, they not only turned out to welcome us, but rushed a-head with all their men to try and seize Mokurrub Khan, and that chief supposing probably that the reconnoitring parties were followed by a column of attack, abandoned his position, and fled with about 60 horsemen to Chinglee, seeing which the Tatallye people dashed in and set fire to Punjtar before we could come up. Thus our first object was unexpectedly and easily attained.

3. At one o'clock of the morning of 26th April, the force shown in the margin* left camp for Chinglee; not a single tent was allowed to be taken by officers or men, and the baggage consisted simply of two days provisions and abundance of ammunition. At daylight we entered the Durrund Pass, which is a remarkably narrow defile of about two miles between two hills. It is not formidable to disciplined troops, because the heights on either side have only to be crowned to cover the safe passage of the force, and the length of the Pass is so limited that if stoutly contested it could not resist for more than a couple of hours. The enemy, therefore, did well to abandon it and allow us to ascend unmolested into the elevated valley of Chinglee, or upper Punjtar.

Corps.	Guns.	Infantry.	Cavalry.
Artillery:			
9 Pounders - - - -	2	–	–
24 Ditto Howitzers - -	2	–	–
Mountain Guns (Brougham's) -	2	–	–
Cavalry:			
Guides - - - - -	–	–	200
18th Irregular Cavalry - -	–	–	50
7th ditto ditto - - -	–	–	50
General's Escort - - - -	–	–	20
My Escort - - - - -	–	–	50
Infantry:			
Guides - - - - -	–	300	–
9th Punjab Infantry - - -	–	400	–
21st Native Infantry - - -	–	300	–
18th Punjab Infantry - - -	–	400	–
Her Majesty's 98th - - -	–	250	–
Sappers - - - - -	–	56	–
Total - - -	6	1,706	370

4. It may be as well to record here that there is a well of spring water in the pass, at the foot of the last steep.

5. Near the entrance of the valley, in a wooded nook of the hills, stands the village of Bagh, inhabited by Syuds. A stream of water runs through its shady groves of mulberry trees, and it is a favourite halting place for marauders when making raids on our territories. General Cotton and myself, therefore, visited the Syuds to call them to account, but on their pleading their real inability to refuse a shelter to the robbers, we did not destroy their village, but only took a fine of a rupee a house from them, with an injunction in future to give information of any raids that were contemplated.

6. Chinglee is the chief place in the Punjtar country. It contains about 1,000 houses, very substantially built, and is an emporium for the wood trade with the plains of Eusufzye. Here resided Moobaruk Khan, uncle of Mokurrub Khan of Punjtar, who had a substantial little fort of wood and stone. But no resistance was attempted. The tribe had removed all their property to the hill side previously, and themselves followed as soon as our force came in sight. General Cotton, therefore, bivouacked at Chinglee for the night, and the troops were employed in destroying the fort, and town, and crops, during our stay. In the evening some of the enemy showed upon the Chumla Hill, but were immediately driven over it by the picket consisting of the 9th Punjab Infantry, under Captain Thelwell; and no further molestation was attempted by the enemy during the night.

7. On

7. On the 27th April, the force having completed its work at Chinglee, returned to Selim Khan, not by the Durrund Pass but through the heart of the country by Swabai and Punjtar. For the importance of adding in this expedition to our knowledge of the independent hills was not lost sight of; and at my request, General Cotton had attached Lieutenant Taylor of the engineers, a very able officer, to the staff, for the express purpose of surveying the country through which we passed, and I hope to be able to forward with this report, a copy of Lieutenant Taylor's map.

* 7th Irregular Cavalry	50
18th Irregular Cavalry	50
Her Majesty's 81st -	200
8th Punjaub Infantry	450
Kilati Ghilzies - -	200
Sappers - - -	56
TOTAL - - -	1,006

8. When General Cotton started on 26th forChinglee, he detached a small force* also to Punjtar, for the double purpose of completing the demolition of that place, and of forming a reserve to us at Chinglee, if necessary. On our reaching Punjtar, therefore, on 27th, we found scarcely a vestige left of the fine villages from which it took its name.

9. The direct road by which we returned from Chinglee to Selim Khan, proved to be of about equal length with the road, *viâ* the Durrund Pass, but there can be no question that the Durrund line is the easiest for an army. From Selim Khan to Chinglee, *viâ*, Durrund, is an open plain, with one difficulty in it, viz., the pass itself, which can be soon surmounted. From Selim Khan to Chinglee, *viâ* Punjtar is chiefly through a broken country, winding among ups and downs of jungle, and ravine, very embarassing to a column; and at one point passing through a rocky defile called Surrullee (the bed of the stream which flows under Punjtar), which would be infinitely more formidable than the Durrund Pass if disputed by the enemy.

10. Mokurrub Khan's horsemen and footmen were seen lurking about our line of march this day, but apparently only in hopes of preying on stragglers from the force. Nothing in fact could more strongly mark the badness and unpopularity of the Khan's character than his total inability to work up his own clan to defend what had hitherto been considered a strong country.

11. We had now destroyed both Punjtar and Chinglee, and might have moved on to Sitana, but for the last four years I had heard it said that there was a stronghold in Mokurrub Khan's country, which he had made over to the Syuds and Hindoostanees, and only resorted to himself in the last extremity. The name of this place is Mungul Thanah; it stands on one of the chief spurs of the Mahabun mountain, and it was the head quarters of that Molvee Inayut Ali, who so perseveringly endeavoured at Naringee and other places, to raise Eusufzye in rebellion during 1857; this Molvee died about the beginning of April 1858, and his followers were said to have gone off from Mungul Thanah to Sitana, to place themselves under another Hindoostanee Molvee there. But Mokurrub Khan's family and property were reported to have been removed for safety to the vacant fort of Molvee Inayut Ali, at Mungul Thanah; it would therefore render our chastisement of the Khan more complete and memorable, if we could also destroy this last remaining fortress. By all accounts the road from Punjtar to Mungul Thanah was practicable, though difficult. The Tatallye people were our allies, and would show us the road; the troops we had were well suited to such an expedition; General Cotton and myself were both of opinion that under these circumstances it was worth while to attempt the attack of Mungul Thanah.

* Her Majesty's 98th -	200
9th Punjaub Infantry -	450
Guide Cavalry - -	300
TOTAL - - -	950

12. At 11 P.M., on 28th April, we again left our camp at Selim Khan under a guard, and posting a reserve* at Punjtar, pushed on by moonlight towards Mungul Thanah, with the following force, headed by 200 matchlockmen from Tatallye:

CORPS.	Guns.	Cavalry.	Infantry.
Artillery:			
Mountain Train - - - - - - - -	2	—	—
24-pounder howitzers - - - - - - - -	1	—	—
Sappers - - - - - - - - - -	- -	- -	50
Guides - - - - - - - - - -	- -	50	350
Her Majesty's 81st - - - - - - - -	- -	- -	200
Kilati Ghilzye regiment - - - - - - -	- -	- -	400
8th Punjab Infantry - - - - - - - -	- -	- -	400
18th Punjab Infantry - - - - - - - -	- -	- -	400
TOTAL - - -	3	50	1,800

The ascent of the hills was very arduous and toilsome, and half of the force was ultimately left as a support at Dakkarah, which is halfway between Punjtar and Mungul Thanah, and the advance reached the heights about 11 A.M.; not a shot had been fired at

us

us as we laboured up the steep and wooded road, and on entering Mungul Thanah we found the forts abandoned, and every sign of a hasty and recent flight.

13. Mungul Thanah consists of two villages, upper and lower; the lower contains 30 or 40 houses, and is occupied by Syuds, who are peaceable and inoffensive; Upper Mungul Thanah stands on a plateau, in the midst of three crests, which are themselves outworks, while held by the garrison, but as soon as carried by an enemy, command the place; on this plateau stood—

1stly. The fortified house of Molvee Inayut Ali, with enclosures for his Hindoostanee followers:

2dly. The fortified residence of Syud Abbass.

3dly. Syud Abbass' citadel, a white masonry tower, the whole having about 30 or 40 houses clustered round them.

These fortifications had been very laboriously constructed of large stones and fine timber, and the Hindoostanee fanatics and thieves who flocked around Syud Abbass, must have lived here in great enjoyment and security, and it was easy to understand the *prestige* that surrounded them.

14. The troops were too exhausted to return comfortably that day, and we bivouacked in the forts for the night, the sappers being engaged all night under Captain Hyde's instructions in mining the buildings. At daylight of 30th April we drew off; the mines were fired, and when the dust and smoke cleared away, Mungul Thanah was a heap of ruins.

15. Mungul Thanah is, I should think, between 5,000 and 6,000 feet above the level of the sea. Fir trees grow thickly about it, and the scenery around is much like that of Murree. It would be possible to cross Mahabun from this point, and descend upon Sitana in two marches, but all accounts agree that the road is more difficult even than that to Mungul Thanah.

16. On 30th April the whole of the troops at Mungul Thanah, Dakkarah, and Punjtar, returned to Selim Khan, and halted on 1st May.

17. It now remained to deal with the notorious fanatic colony at Sitana, and it had been settled that Major Becher, the Deputy Commissioner of Hazara, with a column from his district, should co-operate in this attack; Major Becher, therefore, was already on the left banks of the Indus, reconnoitring, and keeping us informed of the movements of the Hindoostanees, and, as usual, many circumstances conspired to favour us.

18. Between Umb, on the right bank of the Indus, which is the stronghold of our feudatory Jehandud Khan, and our own frontier Eusufzye village of Topee, lies a narrow stripe of land on the bank of the river, under the shadow of the spurs of Mahabun, which is independent of our rule, and belongs to the Otmanzye Puthans. It contains, in addition to two or three small hamlets of Tassee, the villagers of Upper and Lower Kubbul (exactly opposite Torbeyla), Upper and Lower Kyah, and Sitana, which latter consists of Lower Sitana, Munda, and Upper Sitana. Sitana had originally been given away as "Seyree," or church lands by the Ootmanzyes, to a Syud of Boneye, who was expatriated on account of a feud. His descendants instead of remaining quiet on the grant, allied themselves to the notorious Hindoostanee adventurer, Syud Ahmed, and took part in all his ambitious struggles to establish a Wahabee empire on the Peshawur border. The ablest of the Sitana Syuds was Syud Ukbur, who in 1849 or 1850 was chosen to be Badshah of Swât; he died in May 1857 just as that great crisis arose, in which, aided by the Hindoostanee fanatics, he might have given us some annoyance; deprived of his authority and counsel, we know how little the Hindoostanees under Molvee Inayut Ali effected at Narinjee; Molvee Inayut Ali had himself since died. The Syuds of Sitana were left with two leaders, Syud Oomer, who kept a gang of thieves, and Syud Mobarick Shah, son of the late Syud Ukbur of Swât. The Hindoostanees had one or two Molvees, but none of any reputation. Thus stood affairs at the beginning of April when the Syuds of Sitana most unwisely began to press the Otmanzyes of Kyah and Kubbul to pay them tithes; not content with the church lands given them at Sitana, they must needs demand tithes from the crops of the laity. The Otmanzyes resisted, but were divided among themselves; Major Becher encouraged them to unite against the Syuds. The people of Kyah and Kubbul had been for two years under a blockade by us on account of a murder they had committed on one of our subjects. To get this blockade removed was a motive urging them to serve us and oppose the Syuds. One day, then, when the Syuds sent out their followers to cut the crops of the refractory laymen of Kyah, the Otmanzyes beat to arms and turned out; a battle royal ensued on the Sitana plain, and by singular good fortune, Syud Oomur was killed, and Syud Mobarick Shah was badly wounded in the foot. An irreparable breach was thus created between the monks of Sitana and the lords of the manor, and Major Becher, who had from the opposite bank been spectator of the fight, seized the opportunity to remove our blockade and condone the past offences of the Otmanzyes.

19. When, therefore, General Cotton's force appeared on 3d May at the independent village of Kubbul, it was welcomed as an ally, though at no former period of our rule would it have been regarded otherwise than as an enemy.

20. On the 4th May, the combined attack was made on Sitana. Our vassal, Jehandad

Khan, who is a Duke of Argyle on this border, had, over night, occupied the heights between Umb and Upper Sitana, and the echoes of his matchlocks and zumbooraks were loud and frequent as Major Becher's force* crossed the Indus above Sitana, and General Cotton advanced from below. A most interesting hill battle followed, the military details of which will I know be fully reported to Government by Sir Sydney Cotton, and I need only state generally, that no less than six columns of skirmishers (four from General Cotton's, and two from Major Becher's force) were pushed successively up the mountain which forms the real defence of Sitana, and that these columns converging to the summit called Shah Noorkee Lurree, where the Hindoostanees had taken up their positions in a village and a stockade, to great extent cut off their retreat, and forced them to submit or fight. They chose the latter, and it must be admitted, fought with desperation; the 18th Punjab Infantry under Lieutenant Williamson had the honour of first closing with the enemy and carrying the main position, and would have carried the second position also, had not the fire of the 6th Punjab Infantry under Lieutenant Quin been already pouring into that entrenchment from the opposite side. The 6th regiment followed steadily up with the bayonet, and a hand to hand struggle of several minutes ensued, till every Hindoostanee in the position was either killed or taken prisoner. The fanatics had Puthan allies from the neighbouring Judoon hills, but their heart was not in the business, and they fled precipitately.

21. The fighting of the Hindoostanee was strongly marked with fanaticism. They came boldly and doggedly on, going through all the preliminary attitudes of the Indian prize-ring, but in perfect silence, without a shout or a word of any kind; all were dressed in their best for the occasion, mostly in white, but some of the leaders wore velvet cloaks.

22. Our skirmishers were thus left in possession of the heights above the Sitana villages, which the engineer officers proceeded to demolish. The enemy (chiefly Puthans) rallied again upon another height on the road to Chunnee, where they were joined by considerable numbers during the afternoon; and our officers on the hill were very anxious to go on and assail them, but General Cotton wisely adhered to the object in hand, and having destroyed Sitana, drew off for the day; the enemy followed, but were kept at a respectful distance by the Enfield rifles of Her Majesty's 98th, which were now for the first time brought against the mountaineers, and were the admiration of all. We had friendly Puthans of several tribes in the field with us, helping as guides, or allies, in various ways, and not the least advantage of the day was the marked and salutary impression made on them by the range of the Enfield rifle.

23. Two guns of Major Brougham's most efficient mountain battery shared in this hill exploit, and did good service on the very crest. The labour to both the mules and artillerymen was great, the loads having often to be carried by hand for fifty yards or more in the worst places.

24. It was dusk before all the troops had descended the hill, and the force encamped for the night on the Sitana plain, by the bank of the Indus.

25. The loss of the enemy (as far as I could ascertain) in this day's operations was about 50 Hindoostanees, and 10 Puthans killed, most of whom fell on the summits of Shah Norrkee Lurree, and were counted by our own officers. Two Hindoostanee prisoners were hanged summarily at Sitana itself; one, a native of Rampoor, who maintained that he was on the way to Mecca, and the other a Bengalee. It was admitted that many more were wounded and several were seen afterwards by our emissaries lying in the musjid of Chunnee. Amongst the enemy's slain were four leaders, one of whom was known as the "Badshah."

26. Our own loss was 7 killed and 28 wounded, all natives except one, Lieutenant Vandergucht, Adjutant of 18th Punjab Infantry, who received a sword cut in the leg, but killed two of his assailants.

27. The successful enterprises which General Cotton's force had now accomplished at Punjtar, Chinglee, Mungal Thanah and Sitana, had aroused and alarmed the whole border; and many tribes began to gather in apprehension. To show therefore that we had accomplished our object, and had no further designs, we turned our faces towards Peshawur, and marched back on 5th May to Kubbul. But it would not have done to leave the neighbourhood of Sitana without some cleaner settlement for the future. The Syuds and Hindoostanees expelled from Sitana by the Ootmanzyes had taken refuge with the Upper Judoons, and had we now left matters to take their own course, it is probable that the Judoons would (on our disappearance) have come down and compelled the Otmanzyes to re-admit the fanatics. The Ootmanzyes earnestly besought us to bring the Judoons to some understanding, which seemed not only politic, but just, after all the aid we

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* Huzara Mountain Train, under Lieutenant Butt - - - - 3 guns.
Captain Brougham ditto, under Lieutenant Cordner - - - 2 ditto.
2d Sikh Regiment (Captain Harding) - - - - - 3 companies.
12th Punjab Infantry (Captain Blagrave) - - - - - 3 ditto.
6th Punjab Infantry (Lieutenant Quin) - - - - - 5 ditto.
Huzara Mounted Police - - - - - - - - 50 ditto.

we had derived from the Otmanzyes. We, therefore, halted at Kubbul and surrounded the Judoons of Gundup and Besuk, which lie close to our Eusufzye border. They came in at once but declared their inability to answer for the Upper Judoons. On this, we dispatched them with certain demands to the upper half of the tribe, and fairly told them that the alternative was the sword; in proof of which we detached a force of about 1,000 horse and foot under Lieutenant Colonel Mulcaster to our frontier village of Mynee, which is only a few miles from Gundup and Besuk, a demonstration which took rapid effect, on the evening of 8th May; the Upper and Lower Judoons sent in their representatives, and declared their willingness to do whatever they were told. On 9th May, Major Becher and myself, in a full conclave of Otmanzyes and Judoons, drew up an agreement between them, by which both sides bound themselves to unite in expelling and keeping out the Syuds and Hindoostanees, and in resisting any third tribe which should endeavour to bring them back. The hostile demonstration therefore all ended in amicable relations, and a distribution of presents.

28. I was very glad of this conclusion to the campaign; firstly, because I think the Judoons entered into it with sincerity, from a sense of interest, and are likely to secure the quiet of this corner of our frontier; and secondly, because we have never yet had any quarrel with the Judoons, and it would not have been desirable to begin war with a new tribe at the commencement of the hot weather.

29. Having thus destroyed Sitana, and to the best of our ability shut out the Syuds, and the remnant of the Hindoostanee fanatics (supposed now to be about 120), it became necessary to consider what was to become of these spirits of evil. They might unite with their fellow sufferers, Mokurrub Khan of Punjtar, Mobarrus Khan, of Chinglee, and Syud Abbass, of Mungul Thanah, and become a neucleus of excitement and disturbance. Indeed, signs appeared of their doing so, and of their being joined after the close of the Rumzan by partisans from Boneyr and Chumla.

30. Along with the representatives from the Upper Judhoons, came a somewhat remarkable man, named Ummur Shah, who had for years been the chief councillor of Syud Ukbur, the late Bad Shah, of Swât. In a private audience which he solicited, he pressed on me the propriety of opening some door for both the remaining Syuds and Hindoostanees. "If a jageer could be given to Mobarick Shah, the son of the late Syud Ukbur, he and his people could come in and settle peaceably within the British dominions." I told him it was impossible for us to bestow lands on Syuds as Syuds, but if Mobarick Shah would take military service, he should have it. This, however, had been already discussed between them, and Mobarick Shah had instructed Ummer Shah to decline any such offer on his own part, but to accept it for his uncle, Syud Imrân, and about 60 horsemen, for whom there are no longer means of subsistence. Considering the advantage of absorbing these elements of trouble, and the present use to which such recruits might be put in Hindoostan, I thought I should be justified in offering service to the extent of one troop of irregular horse, if Syud Imrân and his followers chose to come in to me in about 20 days, at Peshawur; and I hope this will meet with the Chief Commissioner's approval.

31. Ummur Shah then told me that Syud Mobarick Shah still cherishes the design of recovering the petty sovereignty of Swât. He cannot forget that the people and chiefs of that country elected his father, Syud Ukbur, to be their king, an act which they cannot recall, and which entails the kingdom on the heirs for ever. He is resolved, therefore, to claim it as soon as ever he can win a party strong enough to aid him; and he would be glad to hold Swât as our vassal, if we would aid him in its recovery. In reply, I told him that we neither had, nor wanted to have any connexion with Swât, so long as its people conducted themselves peaceably; but that we never could tolerate an enemy so near us.

32. The tendency of these communications will, I trust, be to keep Mobarick Shah and his men from doing anything further against us.

33. To Mokurrub Khan of Punjtar, and Mobarrus Khan of Chinglee, I sent a purwanah, to the effect that having now punished them well for their raids upon our frontier, we had no further designs upon their country, in which they might resettle at once, if they chose to come in to me at Peshawur, and give assurance of future good behaviour. This I backed up by ordering all the Khans of Eusufzye to consider Mokurrub Khan and Mobarrus Khan as enemies till they chose to come in and make terms; and requiring them to help the people of Tatallye, in case of any attack meanwhile. I think it probable that these measures will bring in those chiefs.

34. While our force was burning Chinglee, on 26th April, the refractory Zearut Khan, of Narinjee (who had been an exile since the hostilities of August last), suddenly came in and surrendered; and, with a few followers, accompanied us in all our subsequent operations. On 10th May, therefore, I compounded the offences of Narinjee by a fine of 200 rupees, in addition to all arrears of revenue, and a forfeiture of a year, "mowajib." That quarrel, therefore, is also at an end, and healed.

35. In the same way I compounded with one or two small hamlets on the Eusufzye border, which had been burnt and laid waste for rebellion in 1857, so that the present

txpedition has cleared a great many scores, some by force of arms, and some by reconciliation, after chastisement.

36. While in camp, I heard for the first time that the people of Sungao, who had been dispossessed, two or three years ago, and ordered to settle down below in the plain, had begun, during the troubles of 1857, to reoccupy their old village of Sungao. This being against all orders, I sent for them, and, after due inquiry, satisfied myself that there is not room for the men of Sungao in the plain villages of Peepul and Mean Khan, on which we had quartered them, and consequently that the arrangement is one which they submit to only under pressure, and which they will ever be watching an occasion to throw off. Also, I found that there is no water to admit of their building a new village for themselves in the open plain. Under these circumstances, I thought the present season of our triumphs against Punjtar, Chinglee, Mungal Thanah, and Sitana, a good one for allowing these people to return and reoccupy Sungao. They have been put to the utmost inconvenience for two years, and will not, I believe, again expose themselves to such a penalty. I therefore fined them 120 rupees, for disobedience of orders, and told them to return to their ancient site.

37. Having happily accomplished every object of the expedition, General Sir Sydney Cotton marched from Kubbul for Peshawur, on 11th May, and I left the camp to pay a few days' visit to this district.

38. I cannot conclude this report without again acknowledging the services, civil and military, of Major Becher, Deputy Commissioner of Huzara, to whose wise and kindly management we owed the valuable co-operation of the independent Otmanzyes of Kubbul, and whose military arrangements in seizing Upper Sitana a large share of our success was due. Again, I would express my hope, that among the soldiers who have done good service in the present crisis, Major Becher may not be overlooked.

I have, &c.
(signed) *H. B. Edwardes.*

Appendix No. 2.

Copy of a Letter from Major *Adams*, the Deputy Commissioner, Huzara, to Commissioner, Peshawur (No. 469½); dated 28 July 1862.

By confidential letter received direct from the Secretary to the Government, Punjab, I have been instructed—

I. To report to you on the conduct of the Judoon tribe (Trans-Indus) during the last two years.

II. His Honour the Lieutenant-Governor having understood that certain Khuttries, British subjects, have been carried off and detained till ransomed by this tribe, I am to state for his Honour's information how many crimes of this kind have been committed, and since when the practice commenced; and

III. I am directed to express my opinion fully to you on the subject.

2. *Misapprehension to be removed.*—It appears from this that there is a misapprehension as to the part taken by the Judoons in the misdeeds of which the Trans-Indus border of Huzara is the scene, and to remove this it will be as well that I should go back to a period antecedent to that in regard to which his Honour desires information.

3. *Position of the Judoons and Amazai relatively to the Otmanzai and Tunaolies.*—From the village of Pihoor in Eusafzai a narrow strip of land runs up between the right bank of the Indus and the steep spurs of Mahabun, and is abruptly terminated at a short distance above (*i. e.*, up stream from) Sittana, and nearly opposite to the Huzara village of Khurkote by a steep rocky cliff, called Khurri, the end of a spur which abuts on the river. Of this strip the first portion, including Bara and Kiara, hamlets of Topi, is in British territory; the rest is independent and belongs to a branch of the same Otmanzai Pathans who hold Topi and other villages in Eusafzai. The Khurri Rock is at this point the boundary between the Otmanzai and the Trans-Indus Tunaoli settlement. Behind and above the Otmanzai and the Judoons, and behind and above the Tunaolies, are the Amazai, whose settlements, reaching up to and beyond the summit of the Mahabun, stretch down towards the plain of Chumla to the west, and meet the Muddakheyl to the north along the left bank of the River Burind, a tributary of the Indus, which drains the valleys of Chumla and Boner.

4. *Position and names of Stannadar villages.*—An irregular line, running in a westerly direction from Khurri to the top of the range, divides the Otmanzai of Khubbul and Kyah from the Judoons on the one hand, from the Tunaolies and the Amazai on the other. Along this line, according to Pathan custom, are the villages of the Stannadars, which, in

in railway phrase, act as "buffers" to prevent or lessen the danger of collision between the adjoining tribes. First is Sittana, bestowed on the great-grandfather of the late Syud Akbar, King of Swat, by the Otmanzai; next in the ascent is Chunnee, held by Akhoonkheyl; above that again are Gobai and Gobassie, occupied by Syuds; the three last being within the limits of the Judoons and held as from them. Above these the boundary crosses the crest of the mountain at a well-known place, called Shahkote, which, according to some antiquarians, is the site formerly occupied by a fort built by Alexander the Great.

5. *Inabilty of Otmanzai to resist Judoons.*—It will be understood from the above that the Judoons and Amazai hold a domineering position over the Otmanzai and the Tunaolies respectively. The latter, however, headed by our feudatory, the Chief of Umb, who has our support and influence in our favour, are able to hold their own. The Otmanzai, on the other hand, weak in numbers, torn by internal feuds, with no man of mark to guide their councils or lead their "lushkur," and with a party, larger or smaller, according to circumstances, favourable to the Syuds (late of Sittana), are unable to resist the Judoons or to take any active part in border politics at variance with the interests or the wishes of that tribe.

6. *Results of expedition in* 1858.—In 1858, when Sittana was attacked by a force under Major-General Sir S. Cotton, K. C. B., the object proposed was to destroy the villages, drive out the Syuds and their Hindostanee supporters, and prevent the re-establishment of the colony, if it may be so called. Previous to that the Otmanzai had been blockaded for two years on account of the murder of a British subject: in addition to the annoyance caused by this, they had been harrassed by the Syuds, who demanded and took from them tithes of their crops, and only a few days before our attack, the Pathans had successfully opposed the advance of the Syuds on their villages, and killed Syud Oomur* in the skirmish which then occurred. They were therefore ready to welcome the condonement by us of past offences and to co-operate cordially with our troops. For the nonce, a common interest united them, and they afforded useful assistance. The great body of the Judoons held aloof, but as our attacking columns, having driven the Syuds and their followers up the hill, approached the frontier post of Chunnee, the Judoons of the higher villages turned out and showed a hostile front, but at a long distance. This tribe had hitherto been orderly and quiet, their good will towards the Sittanah mischief-makers had never taken any overt or tangible shape; and with reference to the absence of any previous cause of quarrel, with reference also to the amount of opposition which, extending the operations to another tribe, might bring on, and to the advanced season of the year, it was considered unadvisable to involve the Judoons in the affair, if it could with credit be avoided. Chunnee was therefore spared; the Jirga of the tribe was summoned, the alternative of immediate attendance on the sword being offered; and their hesitating compliance was quickened by the advance of a column to Myni, in Eusafzai, at a short distance from which and easily accessible lie their largest and best villages, Busuk (Munsoor) and Gunduf (Salar).

7. The political object to be attained was to secure the co-operation of the Judoons with the Otmanzai in preventing the return of the Syuds and their followers, who had now taken refuge in the upper villages of the tribe, to their former haunts; and so far as promises and compacts could be expected to bind such inconstant materials together, that object was, on the arrival of the Jirga, attained.

8. *Removes the misapprehension alluded to in paragraph* 2.—It was for the infringement of this agreement by both the contracting tribes, and the results which flowed therefrom, that they were called to account in 1861. The Judoons themselves had never kidnapped British subjects, or committed any aggression on British territory. Their offences consisted in actively assisting the Syuds to establish a band of robbers in a position, within the Sittana bounds, from which we had expelled them; in allowing these robbers free passage through their country when proceeding on and returning from their murdering and kidnapping excursions; in inducing the Otmanzai to relinquish their hold of the Sittana lands and leave them at the disposal of the Syuds, and in giving free way to armed Hindostanees bound for Mulka to swell the numbers already with the Syuds there.

9. *Origin of the system of kidnapping Khuttries in Huzara.*—The kidnapping of Khuttries for the purpose of holding them to ransom was a description of sport, first, I believe, practised on the Huzara border by the Umb Chief, Painda Khan, during the latter days of Seikh rule. He had been deprived by the Seikh authorities of his lands, Cis-Indus, and he adopted this method of recruiting his finances and harrassing his foes; but it is said that his men never murdered the Hindoos whom they captured. After his death his son, Jehandad Khan, received a handsome jagheer from the Seikhs, which, as well as the possession of his Cis-Indus domain in Tunawul, was confirmed to him by us; so that the father's evil practices were not followed by the son. But soon after this, Syud Oomur (mentioned

* After the death, in 1857, of Syud Akbar, King of Swat, Syud Oomur (whose son, Mahmood Shah, is now in the Lahore Police) was the most influential of the brothers; he seems to have been a bold, unscrupulous man. The other brothers now alive are Syud Imran, a soft-tongued intriguer, and Syud Azim, an inoffensive ascetic. The leading man of the family at present is Syud Mobarik Shah, son of Syud Akbar.

(mentioned in the 6th paragraph) began to occupy the field which Painda Khan's death left vacant; he kept a gang of robbers in Lower Sittana, who, swimming the Indus on "Shurnaies" (inflated hides), began to prey upon our Hindoo subjects, and to murder without mercy those whom they seized, but could not carry to their den.

10. *Crimes of this description between* 1852 *and* 1860.—The first attempt I can find on record seems to have been made in 1852; the Khuttrie was severely wounded, but escaped.

Again, in 1852 or 1853, one Khuttrie was wounded and another carried off from Serai Salah, close to Hurripoor; the later paid ransom and was released.

About the same time a Khuttrie boy was carried off, but timely warning being received, he was rescued, and one of the robbers seized.

In 1854, three Khuttries were kidnapped on the road between Manserah and Gurhi Hubeeboola Khan in Pakli.

In 1856, a Khuttrie of Pakli was carried off from Shinkiari and a second was killed; the former paid a ransom of 300 rupees.

In 1858, a Khuttrie of Khanpoor was seized on the high road between Abbottabad and Hurripoor, and, being aged and feeble, and unable to keep pace with the robbers, was murdered in cold blood.

Again, in 1858, three Khuttries were carried off from Jessia in the Rawul Pindee District, and other instances occurred between 1852 and 1858, of which I have been unable to trace any record.

In 1860 a servant of an officer returning from Cashmere to Rawul Pindee was knocked down by two of the Syud's robbers on the road from Gurhi Hubeeboola to Manserah, and his master's rifle carried off; it is now in the possession of Mobarik Shah. The night had set in, and the servant was alone. He recovered from the effects of the blow. With this exception no crimes were committed in Huzara by the Syud's gang after the expedition of 1858 till the post was established at Sirree in 1861.

11. *Syud's Position after* 1858, *and re-commencement of Kidnapping System.*—It is necessary here to explain that, when driven from Sittana by troops and shut out from the Judoon country by the provisions (so long as they were observed) of the compact entered into by that tribe and the Otmanzai, the Syuds, with the Hindostanees and other followers, fell back to a village, called Mulka, on the Chumla slope of the Mahabun mountain, which was bestowed on the Syuds in "Seree" or free-gift by the Amazai tribe. This has been their head-quarters ever since, and though the gang of robbers was reduced by the arrangements made after the affair of 1858, whereby the offences of many were condoned, and they were taken into service, and under Mahmood Shah, the son of Syud Oomur as their Ressaldar, enrolled in Musgrave's Horse, and sent to repair their characters and fortunes in Hindostan, there still remained a nucleus of unpardonable murderers, which gradually gathered to it fugitives from Huzara and Rawul Pindee. Mobarik Shah, now the leading Syud, who does not relinquish his claim to the kingdom of Swat, which he considers indefeasible, and is styled the "Shahzada," is said to be a man of restless, unstable character. "Khamkho" and "Huwabeen" are the expressive terms in which even his friends describe him. To his natural restlessness was now added the pinching of positive want. The culturable area of Mulka is said to be limited; the supplies of money, which for some time reached him through his uncle, Syud Imran, from the men who had taken service in Musgrave's Horse, failed. Without the means of bribing, his position would soon become insecure, while with a few hundred rupees he could buy the goodwill and services of the Judoons and Amazai. The Hindostanees had to assist him both with cash and grain, and the straitness of his circumstances was evidenced by the fact, that, on several occasions, overtures of peace, forsooth! were brought to me by his friends, but of a nature which could not be listened to. He was now feeling his way back to Sittana, sowing dissension among the weak and inconstant Otmanzai, drawing one party to his side, winning over the Judoons by fair promises, a few rupees, and the many influences which a Syud and "Shahzada" can bring to bear on such ignorant and uncivilized natures; and finally, with the active assistance of the Judoons, he established a post at a place called Sirree, within the limits of Sittana, garrisoned it with a gang of fugitive criminals, and began to resort to the remunerative system of kidnapping Khuttries, in which his uncle had in former days set him the example. He further added to his resources by levying black mail on the traders passing up the right bank of the river from British territory towards Umb.

12. In February and March 1861, immediately after the Sirree post was built, two Hindoo traders of Ghoorghoosti, in the Rawul Pindee District, were murdered close to the Pihoor Ferry in Eusafzai, and three more of the same village were kidnapped on the boundary between Huzara and Rawul Pindee, and carried first to Sirree and afterwards to Mulka.

13. *Result of Blockade in* 1861.—The result of the measures which were then taken to punish the Judoons and Otmanzai for the infringement of their compact was reported in my letters, and copies of the new agreements entered into by them, with translations, were at the same time forwarded to your office.

14. *Effects of Blockade not lasting. Crimes continued from October* 1861 *to May* 1862.—The ink was scarcely dry with which my report was written, when (in October 1861), a Khuttrie

Khuttrie of Shinkiari was seized among the hills of Kounsh, a glen on the northern border of Huzara, and carried to Mulka. The robbers on this occasion passed through the Amazai and Muddakheyl settlement to the Indus Ferry at Koonhar in the Hassanzai country, and thence by the Black Mountain and Agrore. They entered Pakli by the same road they returned with their prey. At the Muddakheyl village of Muja Kote a spirited attempt was made by a boatman of Gurhi (a Hassanzai village), who had been in the Huzara Police, and from whom I occasionally received intelligence, to rescue the Khuttrie, but the Muddakheyl Pathans opposed the attempt. The boatman, however, succeeded in bringing in the Khuttrie's mule, and was rewarded for his conduct. Nearly four months elapsed before another instance occurred.

15. In February 1862, two Khuttries were attacked at night in a lonely mill, in the Tunawul hills; one, the servant, was killed on the spot, and his master was carried off, but escaped before morning from a cave, where he was concealed by his captors while they slept beside him.

About the same time an attempt was made to seize a Khuttrie on the Umb road between Abbottabad and Sherwan, but he escaped with the loss of a portion of his clothes and two or three rupees. In the same month a Hindoo trader was captured on the high road between Hurripoor and Kala Serai, and carried to Mulka, whence, by singular good fortune, he escaped and made his way through the mountains to Murdan. And again, in the same month, a Brahmin trader of Tillokur, near Hurripoor, was kidnapped with his laden mule, between Hurripoor and Abbottabad, and carried toward the Indus; but being unable to keep pace with his captors, he was murdered, as day began to break among the low hills between Hurripoor and Forbeyla, about five miles from the river. His mule and a portion of its load were afterwards discovered; and certain persons implicated in receiving the property were committed to your court. The next and last exploit was an unsuccessful attempt at robbery made in May, about eight miles from Hurripoor. I only ascertained within the last few days that the Mulka robbers were the persons engaged in this. There is seldom any doubt as to the perpetrators when the crime is successful; the deed is boasted of as soon as they reach the right bank of the Indus, and information is at once forwarded to me. The ransomed and escaped Hindoos, too, have given full details, and one of the robbers who kidnapped the three in March 1861, has lately been apprehended, and has confirmed, nearly in every particular, the information previously received.

16. *Articles Nos. III., IV., and V. of Contract infringed.*—Of the six crimes and attempts above detailed, which have occurred since the settlement was made in October, the criminals in the three first instances belong to the Mulka gang; they entered and left British territory through the Amazai, Muddakheyl, and Hassanzai Settlements. In the fourth and sixth instances the perpetrators, also of the Mulka gang, crossed over straight to Huzara from the Otmanzai village of Mundi,* which, there can be little doubt, they reached through the border villages of the Judoons; and, in the fifth instance, the criminals were men detached from the Syud's gang, though once belonging to it, who were residing in the Judoon village of Gobai, came straght from there and thither returned. One is a notorious robber, who began his career some years ago by murdering his wife in this district. My remonstrance was met by the Judoons with a simple and somewhat surly denial, and the murderers are still in Gobai.

17. I have only further to add, in regard to the infringement of the terms accepted by the Judoons in 1861, that the Syuds and robbers from Mulka had, at least from February till May, free and unmolested access to Mundi through the villages of Gobai and Chunnee, for which the Munsoor division of the tribe made itself specially responsible. And it is beyond all doubt, though perhaps legal proof could not be obtained, that Hindostanees with arms have been allowed to pass unhindered through the Judoon country to Mulka within the last month. I have received intelligence, which cannot be doubted, that a considerable accession to the number of the fanatics has taken place, and I have already requested the attention of the Deputy Commissioner of Peshawur to the fact, in order that the roads through Eusafzai may be watched, though it it is by no means certain by what route they came. Two urgent petitions have even been addressed to me within the last fortnight by one of the most influential of the Salar† Jirga, who has already shown a friendly disposition, and was last year forward in bringing about an amicable settlement, to the effect that many are passing through to Mulka; and though he overstates their numbers, there can be no doubt that they are on the increase.* I am now sending a man to Mulka to bring me more reliable information.

† Judoon.

18. *Part taken by Otmanzai.*—I have dwelt chiefly on the part taken by the Judoons in the offences which have occurred since October 1861, because Mr. Secretary Davies' letter, under reply, refers to them only, and also because the Otmanzai of Khubbul and Kyah play a very secondary and subordinate part in the game. For some time the well-disposed

* Between the two villages of Sittana, now in ruins, the village of Mundi is situated, held by Syuds of a different family, who were obliged to succumb to the dominance of their more enterprising and powerful neighbours. They had always showed a friendly disposition and furnished information, and the village was therefore spared in 1858. Considering their position, they can scarcely be held responsible for harbouring criminals since then.

disposed among them were thoroughly harassed and cowed by Mobarik Shah, in league with a party of the tribe who, from short-sighted motives of self-interest, favoured him. Not long after the settlement of October was made he sent a gang of assassins into one of the villages at night, who killed six of the Pathans and Khuttries. A second raid was made, but not with such signal success. Of course those of his party were spared. It was not till May last that the murder, by the Syud's order, in a sudden fit of suspicion and annoyance, of two men (one an influential Mullick), who had been most forward in his cause, and had gone to live at Mundi to aid his designs, roused the tribe to unite against him. Since then no man in Mobarik Shah's employ has ventured into Mundi, and by the secret assassins employed by the Otmanzai he has been kept so constantly on the *qui vive* that not a raid of any sort has since then been attempted on this side, nor has black mail been levied on British traders passing along the right bank of the river, the Otmanzai regularly providing escorts for their protection into the Tunawul country. This tribe does not attempt to deny the infringement by them of the terms imposed in 1861. They simply plead their inability to observe them, and throw the blame on the Judoons and the Syud faction among themselves. It will be gathered, however, from the above that the immediate cause of their inability is their own disunion. United, they can hold their own so long as the Judoons refrain from active interference. In any operation undertaken against the Syuds, their assistance might be reckoned on.

19. *Position of other Tribes on the Border.*—In the course of the above remarks I have alluded to other tribes, the Amazai, Muddakheyl, and Hassanzai, who have never bound themselves by any engagement to us. These, as well as the Otmanzais, are members of the one great family of Eusafzai, or rather of that portion of the Eusafzai, which claims descent from Mundur, Yusaf's nephew, and calls itself Mundurzai. A few words as to their relative positions will, I hope, suffice to show that, in any operations which may be undertaken to rid the Indus border of the plague now infecting it, they must not be lost sight of.

20. The Otmanzai, Tunaolies, and Muddakheyl abut on the right bank of the Indus, opposite to British territory, in the order in which I have named them. The Judoons and Amazai occupy the hills behind the Otmanzai and the Tunaolies; the former join on to our Pergunnah of Eusafzai, the latter are isolated from us altogether by the intervening Tunaolies. The Muddakheyl face that portion of Cis-Indus Tunawul, which, though within Huzara, is left to the almost independent management of the Umb chief, and is usually called his "hereditary domain." Above them again (*i. e.*, up-stream) come the Hassanzai, who occupy both banks of the river. Here the British boundary, starting from the left bank, climbs the southern slope of the Black Mountain, separating the Hassanzai from the Umb chief's domain, and, reaching the summit above his frontier post of Chumberi, follows the watershed line between the same tribe and our frontier valley of Agrore. The circle is thus completed. A chain of independent tribes (omitting the Tunaolies, who after a fashion may be regarded as our own subjects, or at all events are under our control), reaching from Eusafzai to Agrore, conveys to either end, or discharges at any point along its length, the evil influences which emanate from Mulka.

21. *The Hindostanees; their support of the Syuds, their influence and intrigues.*—The position of Mulka I have already indicated, and it is there that the real elements of disquiet are to be found. The late Syud Akbar (father of Mobarik Shah), first took a prominent position on the border as the warm partisan and adherent of the notorious so-called "Khaleefa," Syud Ahmed, and when the latter was killed at Balakot, in A.D. 1830, the remnants of his Hindostanee followers were scattered along the frontier from Kagan to Sittana. Their enthusiasm was kept alive by a rumour, diligently encouraged by the Moulvies, that he was not dead, and would yet re-appear to lead them on to a more succesful crescentade. Some still believe this story. Gradually the scattered fragments gathered together at Sittana. The Kagan party, after attempting to dispute the passage of the Doobgulli, which overlooks our frontier village of Gurhi Hubeeboola Khan, with the troops brought from Cashmere, in 1846, by the late Mr. Vans Agnew and Captain (now Brigadier) Lumsden, surrendered to these officers, and was spared on condition of at once quitting this part of the country, and never again passing the Margulla. The condition was as readily broken as accepted; nearly the whole party found its way to Sittana. Between these men and the Syuds there is the link of a common attachment to their late revered chief, and the recollections of dangers and successes shared together in former years. The destruction of Sittana in 1858, though successful so far as it went, did not break this tie, nor scatter the elements which it holds together. It merely pushed the centre of disturbance a little further back, but still to a distance not more than one long day's journey from the Indus.

22. These Hindostanee Wahabees, regarded as pilgrims from the land which bends to the yoke of infidels, self-exiled from their homes for religion's sake, the germs of a crescentade in which the tribes of Islam shall be gathered together to wage a holy war against the Feringhee, meet with a ready sympathy. Taught by the rough experience of the past, they refrain from giving aid to the Syuds in their feuds and quarrels with Pathans, and scrupulously avoid giving offence to the wild tribes among whom they live. Mysteriously supplied with money from Hindostan, even beyond their wants, they pay for all they receive, and keep an establishment of mules, to carry to their mountain nest the needful supplies

supplies of grain. Well-armed, drilled after a fashion, with expert blacksmiths,* who repair the old and fabricate new weapons, living in harmony together with a common purpose, withholding their hands from all plunder and robbery, and worshipping God after the strictest tenets of their religion, they are spoken of by all as *sans peur et sans reproche.* Whatever importance Mobarik Shah has is mainly due to their support; and the knowledge that they will throw themselves heartily into his cause in the event of any attempt being directed against him by us emboldens him to persist in his deeds of violence.

23. I need not say that, as an enemy in the field, these men would be utterly contemptible; but their attitude and presence where they are regarded as a standing menace to us, and in the eyes both of our own subjects and the adjoining tribes, it affects our *prestige* that they should be allowed to maintain that attitude, and that they should be permitted to act as a centre of attraction for all the escaped criminals from our districts, who flock thither for asylum and employment, to be again dispatched on missions of murder and robbery into our territory. From their head quarters, at Mulka, they have thrown out two posts; one holds the water mills at Nuggri, below Mulka, where their grain is ground; the other is at Muklumeye, in Chumla, where they keep their horses, of which they are said to have about 100. They have lately been more than usually active in their intrigues, and it is said that they meditate detaching a party to the Black Mountain, and that the Hassanzais and their spiritual leader, the Syud of Koonhar, are anxious that they should do so. Preliminaries, however, have not yet been arranged, and it is hoped that the plan may be defeated. The manifest object of such a movement would be to threaten the Umb Chief from both sides. Their hatred to him is scarcely less than to us; with our aid in 1853, he expelled them from a strong position,† which they had mastered in the Umb country, and slew a number of them. The Hassanzai, too, are by no means friendly to him, and the union of his foes would bode him no good. Any attack on his Cis-Indus domain would be an aggression on British territory, which we must punish; and in the event of his Trans-Indus lands being invaded, it has more than once been affirmed by Government that we must give him active support. His position at Umb is useful to us, acting as an outpost held in strength between us and the wild tribes that lie beyond. The importance which is attached by our own people to any movement made by those Hindostanees is evidenced by the deluge of petitions which pour in upon me from officious informers when any little breeze springs up, generally written as if the safety of the empire depended on the part which these men might decide on taking.

* Kotla, above Ushra, Trans-Indus.

24. *Opinion as to Measures which should be adopted.*—Any measures to be adopted to put an end to the state of chronic irritation in which the border has been so long kept must, to be effectual, have for their object the dispersion of this band, and security against their re-establishment in a position from which they could again give us annoyance. To effect this it would not be sufficient to send an expeditionary force to Mulka to expel the inhabitants, destroy the place, and then return at once into the plains. We must enter the hills in sufficient force to make our way against all comers to a position from which we may deliberately exact redress for broken pledges, and impose such terms for the future on all the tribes concerned as shall serve to place our relations with them on a satisfactory footing. We must have in view the possibility of more extended operations than such as would be necessary merely for the infliction of punishment for the past; for to leave, for instance, the Black Mountain open to these Hindostanees, after their expulsion from Mulka, would be to substitute, at much expense, a greater for a lesser evil.

25. The best time for entering the hills is perhaps October, because then the autumn crop is ripening, and we have ready to our hand, in the destruction of that, a means of inflicting condign punishment on all who may refuse to accede to our demands; and the weather is favourable for the troops. It is, perhaps, beyond my province to suggest the number of troops which should be employed, nor do I know whether the Government contemplates undertaking at present such an expedition as I have indicated. But referring to the strength of the force with which, in 1858, Panjtar and Sittana were attacked, to the difficulty of the hills, and the impossibility of ascertaining beforehand what numbers may be opposed to us, I should say that not less than 5,000 or 6,000 men of all arms would be necessary. No room should be left for any chance of failure.

26. With the Amazai and Muddakheyl tribes we have never had much communication; the former has lately been distracted by internal quarrels, and a considerable party is on good terms with the Chief of Umb. The Hassanzai, as you are aware, were punished in 1853, and have since behaved tolerably; they are not, however, altogether clean-handed, and are beginning to forget the lesson then taught them by Colonel Mackeson. I believe that the appearance of a strong force on Mahabun would have a very salutary and sedative effect on them all.

27. *Apology*

* Their armourer sergeant is a Punjabee, Golab Khan, of high repute on the border. He is said now to have finished one iron cannon and to be labouring at another.

27. *Apology for Police.*—I have not thought it necessary to put forward any excuse for what might seem to one unacquainted with the country the inefficiency of police arrangements, which can be so set at defiance as those of Huzara are by the Mulka robbers. I find the deputy-commissioner in 1852, when the number of police posts and of police, both along the river board and elsewhere in the district, was considerably greater than now, writing to the following effect:—"So cautious are they,* that though I have generally intelligence of their coming, and am at this moment aware that 13 of them are lurking in the neighbourhood, all my efforts to capture them, backed with a reward of 50 rupees each, have hitherto failed of success. The progress of men floating upon skins is so silent, and they are such insignificant objects in the large stream of the Indus that, on a dark night, it is easy for a robber to evade all vigilance and effect his landing in spite of sentinels." I will only add to this that the Hindoo who was carried off in February, and escaped from Mulka, informed me, on his return, that, on reaching the Indus bank, his captors found that the police patrol was at the instant passing close to the spot which they had reached. Their prisoner was tightly gagged, and, laying him in a deep nullah, with swords drawn to slay him on the spot if he moved, they waited till the patrol had passed, and then, thrusting him into an inflated hide, one of the robbers mounted upon it, and floated him to the opposite bank. The nature of the country is such that no increase to the number of police will suffice to stop these outrages. Occasionally by a lucky chance a robber is seized, and no more can be expected.

* *i. e.* the robbers of Syud Oomur of Lower Sittana.

(signed) *Robert Adams,*
Deputy-Commissioner.

P. S.—I fear this letter has extended to an unreasonable length, but I will not wait to condense its contents. The receipt of your demi-official note, calling for full information, makes me anxious to omit nothing that may assist you in understanding all the bearings of the matter under consideration so far as I can place them before you.

(True copy.)

(signed) *R. H. Davies,*
Secretary to Government, Punjab.

EAST INDIA (OFFICERS).

RETURN to an Address of the Honourable The House of Commons, dated 20 June 1864;—*for*,

"COPIES of the DESPATCH to the Government of *India*, dated the 17th day of June 1864, No. 194, informing them of the Steps taken by Her Majesty's Government consequent on the REPORT of the COMMISSION appointed to inquire into the Alleged Departures from the Parliamentary Guarantee to OFFICERS of the INDIAN ARMIES:"

"And, of the ROYAL WARRANT referred to in the 64th Paragraph of the above Despatch, regarding the AMALGAMATION of the GENERAL OFFICERS of HER MAJESTY'S BRITISH and INDIAN FORCES."

India Office,
22 June 1864.

T. T. PEARS, Major General,
Military Secretary.

(Military, No. 194.)

To His Excellency the Right Honourable the Governor General of India in Council.

Sir, India Office, London, 17 June 1864.

Para. 1. YOUR Excellency's Government is aware that numerous memorials and petitions from officers of the Indian Army have been presented to Parliament, or addressed through the Government of India to the Secretary of State for India, complaining that the measures recently adopted as to the Indian Army were in violation of the assurances of Parliament contained in certain clauses of the Acts 21 & 22 Vict. c. 106, and 23 & 24 Vict. c. 100.

2. In consequence of these circumstances, Her Majesty's Government felt it to be their duty to recommend to Her Majesty to appoint a Commission* to inquire into these alleged departures from the Parliamentary guarantee, and to report their opinion thereon.

3. I herewith transmit, for your Excellency's information, a copy of their Report, which Her Majesty has been pleased to order to be laid upon the tables of both Houses of Parliament.

4. I have, at the same time, to inform your Excellency of the steps which Her Majesty's Government have felt it to be incumbent upon them to take, in consequence of the opinions expressed by the Commissioners in that Report.

5. Before doing so, however, it seems to me to be necessary that I should advert shortly, not only to the reasons for the changes which have been introduced into the Indian Army in the last few years, but also to the general character of those changes. It might otherwise be supposed, from the complaints which have been made by many of the Indian officers, that the changes were unnecessary, and that no advantages had been conferred upon them in the various measures which have been adopted. Neither of such suppositions is warranted by the circumstances of the case. That great changes in the state and condition of the Indian Army were necessary, was self-evident. The recent mutiny had shown the danger of maintaining an overgrown Native Army; Parliament had determined on abandoning the system of maintaining a separate European force for Indian service; the obvious evils of withdrawing officers from their regiments for staff employment had been forcibly pointed out by some of the ablest Indian officers; a reorganization of the Native Army on the

* Lord Cranworth.
Earl of Ellenborough, G.C.B.
Lieutenant General Lord Hotham.
Right Hon. J. W. Henley.
Lieutenant General Sir Charles Yorke, G.C.B.
Major General Clarke.
Major General Sir P. Melvill, K.C.B.

system of the regiments known as "irregular regiments," was recommended by many of the most experienced Indian servants. These two last-mentioned considerations pointed unmistakeably to a measure which had frequently been under consideration in former years, *i. e.*, the formation of a Staff Corps. It was also considered desirable on general grounds to remove, as far as possible, all distinctions between the officers of Her Majesty's general and Indian Armies, and to form them prospectively into one united body, retaining for the Indian officers in the meantime such advantages as were peculiar to their service.

6. It might, perhaps, have prevented a good deal of misunderstanding if the measures for these various objects, which were distinct in themselves, had been undertaken separately, but so much change was inevitable, and it was so desirable that the full extent of any changes should be known at once, and that men's minds should not be left in uncertainty as to their future condition, that it was determined to carry into effect without loss of time, all the measures required for the changes which were to be made.

7. It is hardly necessary to assure your Excellency that, in framing the various measures for this purpose, both Her Majesty's Government, and the Secretary of State and Council of India, were desirous of showing the greatest consideration for the officers and men who might be affected by the change, and it was their earnest wish to act towards them in the most liberal spirit, consistently with a due regard to the charge which might be imposed upon the finances of India.

8. The measures which have been adopted, are the transfer of nearly all the officers and men of the European cavalry and infantry of the Indian Army, with their own consent, to new regiments of the line in Her Majesty's general Army; the completion of the assimilation of the organization of the Indian Artillery and Engineers with that of the Royal Artilery and Engineers, which had been partly made in 1858; the reduction of the Native Army and its reorganization on a different system; and the formation of a Staff Corps, as the best mode, under the altered circumstances of the service, of providing officers for the Native Army, as well as those required for the various and miscellaneous staff duties of several departments, civil and military, which have heretofore been so well performed by officers withdrawn from regimental duty for that purpose.

9. It was, perhaps, not to be expected that in such extensive changes every officer should retain his existing position unaltered, but a very short review of what has been done will show that upon the general body of the officers of the Indian Army great advantages have been conferred, and that many even of those who complain of being injured in some one respect have, nevertheless, gained, on the whole, in their position and prospects.

10. It is unnecessary to remark upon the position of those officers who voluntarily joined the new line regiments, except to observe that many of them have obtained more rapid promotion than they would have done under the old system.

11. The assimilation of the organization of the Indian Artillery and Engineers to that of the Royal Corps has been greatly beneficial to the former, in augmenting the proportion of officers of the higher grades,* giving promotion thereby, and increasing the charge on account of their pay and allowances.

* In the Bengal Artillery, for instance, from 36 field officers in 1858, to 49 in 1861.

12. The only change unfavourable to them was that of a reduction of the number of colonel's allowances. Such reduction, however, is to be made very gradually, and with a view of meeting the cases of certain officers whose prospects might be affected, directly or indirectly, by the reduction, a limited number of special annuities were offered to the colonels of these corps.

13. Seven colonels of Artillery and six colonels of Engineers have retired from the service on the pension of their rank, with the addition of these special annuities, and promotion has been made in their places.

14. The extent to which these two corps have, upon the whole, benefited by the recent changes may be, in some degree, measured by the fact that the increase in pay and allowances in the two corps, due to those changes, amounts to a sum considerably above 100,000 *l.* per annum.

15. I have

15. I have already reminded your Excellency of the reasons which led to the formation of a Staff Corps, and to the arrangements connected therewith.

16. The system of promotion by length of service, introduced into these corps, was the only system suited to their position and circumstances. It was impossible to fix any number or establishment for these corps, inasmuch as the requirements of the service and the number of staff appointments must vary from time to time. The promotion of the officers could not, therefore, be made dependent upon vacancies in a fixed establishment of the several grades.

17. A certain length of service in each grade, calculated on about the average length of service in the British Army, was therefore fixed as qualifying for promotion.

18. It had been suggested that the Staff Corps should be formed gradually, and as required, by means of young officers from Her Majesty's general Army, whilst those of the Indian Army who might be appointed to staff situations should remain in their regiments as heretofore. The objections to this course have been already adverted to, and it was considered fair to give, as far as possible, to the officers of the old service the advantages of serving under the rules and conditions laid down for the Staff Corps. All officers, therefore, who were, or within certain periods had been in permanent staff employ, were invited to join it. About 1,300 officers have already joined those corps, and participated in the advantages given to the Staff Corps.

19. It thus appears, that of the officers of the Indian Army, those who joined the line regiments, the whole of the Artillery and Engineers, and those who joined the Staff Corps, have been generally benefited by the change.

Line Regiments,	403
Artillery -	670
Engineers -	277
Staff Corps -	1,318
	2,668

20. If to this number be added the whole of the officers* who entered the service since 1858, on conditions subject to any change that might be introduced into the service, it will be seen that there will remain a comparatively small number who can have any real cause of complaint. I will now advert to the circumstances by which some of them may have been effected.

* 679.

21. That the reduction in the Native Army to the extent of about 130,000 men should render the existing number of officers too many for the future requirements of the service, needs no demonstration.

22. During the mutiny, 62 regiments of Native Infantry and 10 of Native Cavalry in Bengal had disappeared from the service. The new regiments which were raised were organized on what has been called the Irregular system, with fewer officers. In Madras, four regiments of Native Cavalry and 8 regiments of Native Infantry were reduced, and in Bombay three regiments of Native Infantry were reduced. Upon the whole, therefore, there was a reduction of 83 regiments officered on the old system.

23. That after the administration of India had been transferred to the Crown, it was the duty of Her Majesty's Government in the existing circumstances, to reduce the Native Army, as it would have been the duty of the East India Company if such transfer had not been made, cannot be doubted; and it was the wish and intention of Her Majesty's Government to act towards the officers of that Army as the East India Company would have done if the same necessity of reduction had been imposed upon them.

24. According to the system pursued in the British Army, all the officers of the regiments reduced would have been at once placed on half pay. The Indian officers, on the contrary, were all retained on full pay, and with the prospect of promotion continued to them.

If the practice of the English Army had been adopted, a considerable saving of expense would have been made, to the extent of the difference between the permanent half pay of the rank which each officer held on reduction, and the full pay not only of such rank, but also of the increased rank, which the Indian officer might attain; and in such case the promotion of the officers who remained would not have been affected.

When, however, the whole body of Indian officers was retained on full pay, it was nevertheless reasonable that some reduction in the expense of the officers who were retained beyond the requirements of the service should be effected, and such reduction could not be made without some retardation of promotion.

25. The actual retardation will be to a very small extent, and in particular ranks. The general promotion of the Indian officers will be accelerated, and to every officer, including the cadet who entered the service so lately as December 1861, his promotion through every grade, with the pay thereunto belonging, as if the whole Native Army of India had been kept up, is assured, and his right to Indian pension is maintained.

26. The two cases in which reduction is made, and in which promotion may be affected, are in the establishment of regimental colonels and in that of regimental lieutenant colonels.

27. With regard to the first, some reduction necessarily followed a diminution in the number of regiments, but the reduction will be gradual. In order to facilitate the second, a certain number of the older officers, under the rank of colonel, were invited to retire on largely increased pensions. The whole of the vacancies in the rank of lieutenant colonel created by this extraordinary measure of retirement were not filled up, but it was accompanied by great and unusual promotion throughout the whole of the ranks below that of lieutenant colonel.*

* Majors to lieutenant colonel - - 49
Captain to major - - - - 87
Lieutenants to captain - - - 123
Ensigns or cornets to lieutenants - 190
†449

† This is exclusive of names of officers of the Staff Corps and new line regiments which are borne on the Indian lists in italics.

28. These are the only measures of reduction which affect the European officers; and for the complete reduction of the number of officers to a level with the requirements of the service, the Government look to the cessation of new appointments, and the ordinary casualties by death and retirement.

29. That every officer should be in precisely the same situation as if no change had been made; that an officer should retain all the advantages which he would have enjoyed if the Native Army had been kept up to nearly twice its present amount; that a great reduction should have been effected, and everybody be left in the same position as before, was simply impracticable; but I think it may be confidently maintained that there never was a reduction and change of system effected with so large and liberal a consideration for the interests of the persons to be affected by the change; the immediate increase of pay and pensions being not less than a quarter of a million per annum, and that nothing has been done that the East India Company might not have done as regards the officers of the Indian Army.

30. The number of memorials and petitions, however, from Indian officers that have been presented upon this subject, has shown the impossibility of carrying out any great change in an organized body such as the Indian Army, however beneficial such change might be in general, without giving some occasion to individuals for considering themselves aggrieved.

31. You will observe, that the measures which, in the various memorials referred to the Commission, have been complained of as departures from the Parliamentary guarantee, have been classified by the Commission under the following heads:—

1st. The retention of the names of officers appointed to the staff corps on the cadres of their former regiments.

2d. The supersession in army rank to which officers remaining with their regiments have been subjected, by the promotion of officers joining the staff corps under the regulations established for promotion in that corps.

3d. The retention upon the cadres of their former corps of the names of officers who joined the new line regiments from the old European regiments of the Indian Army.

4th. The retention on the cadres of native corps of the names of officers who joined the new line regiments from such corps.

5th. The retardation of promotion caused by the employment of officers

of

of the Staff Corps whose names are retained, on duties involving less risk to health and life than those connected with regimental employment.

6th. The retardation to promotion caused by the retention on the cadres of the names of officers who have joined the new line regiments, they being employed generally on duties less likely to create casualties than if they had remained with their regiments.

7th. The arrangements made for regulating future succession to the colonel's allowance in the Ordnance Corps.

8th. The arrangements made for regulating future succession to the colonel's allowance in the Cavalry and Infantry.

9th. The reduction in the number of regimental lieutenant colonels, by making promotion in succession to one-half only of the officers of that rank who accepted the special annuities offered to them on retirement in 1861.

10th. The effect produced by the late measures in interfering with the operation of funds established with a view of offering inducements to senior officers to retire.

11th. The regulations under which officers in receipt of colonel's allowance are precluded from receiving Indian allowances while residing unemployed in that country.

12th. The Order of the Government of India, No. 1070, dated 23d July 1859, revoking so much of the Order, No. 1238, dated 27th August 1858, as related to the ante-dating the commissions of certain lieutenant colonels of Artillery and Engineers.

13th. Arrangements for the future promotion of officers of the Indian Army to the rank of general officer.

32. In addition to the above alleged grievances, the Commission have noticed, in the 82d and following paras. of their Report, a few further complaints to which they do not think it necessary to advert in detail. These are not considered by the Commission to be in violation of the Parliamentary assurance, and are merely noticed to show that they were not overlooked.

33. Her Majesty's Government have given the most serious attention to this Report, which appears to have been drawn up with much deliberation and care. They are desirous of adopting such measures as shall meet the complaints declared by the Commission to be well founded, as fully and completely as possible, and at the same time with the least possible disturbance of the now established order of things.

34. It will be seen, that upon the 1st, 3d, 5th, 6th, 7th, 10th, 11th, and 12th of the above complaints, the Commission have given their opinion that the measures complained of cannot be considered as infringements of the Parliamentary guarantee.

35. With reference to the 8th and 9th, they have expressed themselves unable to form an opinion at present, but consider that the measures should be judged by the effect which may be produced by them in the cases of individual officers.

36. In regard to these, the Commission consider doubtful—

1st. The regulation by which 12 years is made the period of service in the grade of lieutenant-colonel, and

2d. The reduction of the number of regimental lieutenant colonels, by making promotion in succession to one-half only of the officers of that rank who accepted the special annuities offered to them on retirement in 1861.

37. Upon the first of these, the Commission remark as follows:—

"The new rule, however, is not to affect the lieutenant colonels who attained that rank before the date of the new system, and so the question whether 12 years is a fair average for the future for the three Presidencies will be tested by the time at which these lieutenant colonels will succeed to the allowances in question, and if it should be found that they have obtained them generally in less than 12 years, we consider that unless the shorter average period be adopted, the guarantee will not have been strictly adhered to."

 38. Upon

38. Upon the 2d, the Commission having given their attention to the amount of benefit in the shape of promotion derived by the several regiments by the retirement under those special annuities, observe,—

"We are unable to calculate the loss or the advantages, varying as they do, which may have fallen to the lot of the different regiments, but we think that where loss can be ascertained to have taken place, there the guarantee has not been stricty adhered to."

39. In reference to both these measures, it may be necessary to explain more fully their scope and object. They were connected with, and arose out of, the reduction in the army in India.

40. While anxious to avoid, as far as possible, any interference with the prospects and privileges of the officers of the Indian Army, Her Majesty's Government considered themselves not only justified in making, but bound to make, such reduction in the Native Army of India as the exigencies of the service might admit of; nor did they consider themselves precluded from doing so by the Parliamentary guarantee.

41. In this view of the scope and intent of the Parliamentary guarantee the Commission clearly concur, as they observe, "It could not have been intended to prevent the Crown, if, in the interests of India and of the empire at large, it should deem it necessary, from reducing the numbers of the Indian Army or altering its organization. It would have been in the power of the Company to make such reductions and changes, and a similar power was transferred to the Crown."

42. The number of native regiments, as well as the aggregate strength of native force, having been largely reduced, and the whole of the remaining force being about to undergo a complete change of regimental organization, Her Majesty's Government considered that a reduction in the number of colonels and lieutenant colonels was not only necessary but just.

43. With the view of effecting the reduction in the former, it was in the first instance ordered by my Despatch, No. 27, of the 18th January 1861, that three lieutenant colonels only should be promoted for every four vacancies among the colonels.

44. It was at a subsequent period determined that additional annuities, calculated generally at the value of the prospective colonel's allowance, should be offered to a limited number of field officers, and for the plan of reducing the number of colonels first proposed, was substituted the more equable mode of effecting the same object, by allowing the names of the retired lieutenant colonels to remain on the list until they came into the position of colonel, and then removing them.

45. Certain officers low down in the list complained that this would ultimately retard their promotion to a serious extent, and, as a security against such retardation, the rule was adopted of giving the colonel's allowance after 12 years, to officers who might not have attained that position in the ordinary course at an earlier period.

46. To the lieutenant colonels of, and subsequent to, the 1st January 1862, who had, as a consequence of the numerous retirements under the annuity scheme, attained to that rank, in many cases several years before they otherwise would have done so, the period of 12 years was laid down absolutely as the term of service in the grade of lieutenant colonel qualifying for promotion to the colonel's allowance.

47. By this rule, one lieutenant colonel of the Madras Army has already obtained the colonel's allowance at a much earlier date than he would have done under the old system, and others are likely to be similarly benefited; nor is it probable that more than a very few cases can occur, in which an officer will not attain the colonel's allowance after a shorter total period of service, even though he may remain rather longer in the grade of lieutenant colonel.

48. With regard to the contemplated reduction of lieutenant colonels, the offer of annuities acceptable to a large proportion of the existing officers

officers of that grade presented a favourable opportunity of effecting this object, with little injury to the interests and prospects of the service at large.

49. Promotions to the full extent of these extraordinary retirements were not made. One half only of the number of lieutenant colonels retiring have been filled up, but promotions were made in succession to the whole of the majors and captains who retired. By these extensive promotions many officers were placed several years in advance of the position they would otherwise have held, and the position of every officer below them in the Army was more or less improved thereby.

50. Her Majesty's Government feel confident that while large reductions in the number of the British officers of the Native Army were imperatively called for, and will for the most part be effected by the cessation of new appointments to the Indian Army, the reduction now made, moderate in itself, has been carried out in a manner which will be found to have no injurious effect upon the interests of the Army at large, while such an extraordinary impulse has been given to promotion as cannot fail to influence the whole career of each individual, and to compensate for any subsequent retardation that may be anticipated from a reduction in the higher grades.

51. The measure by which it was intended that some reduction of establishment should be combined with accelerated promotion, has been attended with unequal effect in the several Presidencies, and it appears necessary that the inequality should be rectified.

In 1861, the establishment of regimental lieutenant colonels at the three Presidencies was as follows :—

	Cavalry.	Infantry.
Bengal	10	80
Madras	8	58
Bombay	3	35

52. It appears that the officers of the rank of lieutenant colonel accepted the annuities in 1861, in varying proportions for the several Presidencies, and that their present relative numbers, including the names of officers of the staff corps and new line regiments, vary accordingly, viz., in

	Cavalry.	Infantry.
Bengal	7	59
Madras	5	39
Bombay	3	23

exclusive of general officers, who are supernumeraries. It has been determined to apply to the Presidencies of Madras and Bombay, the same proportionate reduction of officers of this rank as has been effected in Bengal by the annuities, so that the establishment of lieutenant colonels of Cavalry and Infantry in the three Presidencies shall stand hereafter as follows :—

	Cavalry.	Infantry.
Bengal	7	59
Madras	6	43
Bombay	3	26

such establishment being exclusive of lieutenant colonels having the rank of general officer.

 53. I have

53. I have now to notice the three subjects of complaint which the Commission have considered to be well founded. These are,—

1st. The supersession of regimental officers by the promotion of their brother officers under the Staff Corp rules.

2d. The retention on the cadres of native regiments of the names of officers transferred to the new line regiments; and

3d. The arrangements laid down in the Royal Warrant of 1st January 1862 (as far as they affect the officers of Cavalry and Infantry of the Indian Army) for regulating the promotion of colonels of the Indian Army, of date subsequent to the 17th February 1861, to the rank of general officer.

54. The Commission are unanimous upon two, and those the most material, of these three points, and Her Majesty's Government, although their own views may not be changed, are, nevertheless, prepared to accept the opinion of the Commission on these questions, and have given their most careful attention to the various measures that have been suggested for meeting and remedying the grievances which, in the opinion of the Commission, appear to be well founded.

55. With respect to the second of the above three complaints, considered by only a majority of the Commission to be well founded, Her Majesty's Government have determined, in deference to the opinion of the majority, that the names of the officers who joined the new line regiments from Native Cavalry and Infantry, including the cadres of the 4th and 5th Regiments of European Cavalry, and of the 4th, 5th, and 6th Regiments of European Infantry in Bengal, which were formed from native regiments, shall be removed from the cadres of their former regiments, and that promotions shall be made in their places.

These promotions will date from the 18th of February 1861.

56. The third of the complaints recognised by the Commission as well founded, is the proposed amalgamation of the list of colonels of the British and Indian Armies, by which it is considered that the advancement of the Indian officers to the rank of general officer would be unduly retarded.

57. The effects of the Royal Warrant of the 1st of January 1862, by which the arrangements for the future amalgamation of the field officers of the British and Indian Armies were laid down, is altogether prospective. No promotions have yet been made under that Warrant, and there is no difficulty in altering this arrangement.

58. Her Majesty's Government have, therefore, determined so far to modify the provisions of that Warrant as to retain the whole of the officers of the Cavalry and Infantry of the Indian Army on the general list of that service, as before, for promotion to the rank of general officer.

59. With regard to the promotion of officers of Artillery and Engineers to the rank of major general, the Commission have declared themselves unable to determine the effect produced by the Royal Warrant of 1st January 1862, upon the prospects which such of these officers as were not colonels, before the amalgamation would have of becoming general officer; but they state that the change will ultimately, to a small extent, be beneficial to the Ordnance Corps.

60. It is desirable that the officers of these corps, which have become united to the corps of Royal Artillery and Engineers, should as soon as practicable be withdrawn from the list of the Indian Army and placed on separate lists, as is the case with those of the old Royal Corps, who rise to the rank of major general on separate lists. It has been determined, therefore, to give to each branch of the Ordnance Corps in India a separate establishment of general officers, calculated in the same proportion as that which governs the establishment of general officers of the old Royal Artillery and Engineers.

61. According to this rule, there will be ultimately 26 general officers allotted to the Indian Artillery, 12 to the Engineers.

62. All Artillery and Engineer officers, being colonels in the Army of date prior

prior to 18th February 1861, will continue to rise on the general list of the Indian Army.

63. Officers of those corps who attain the rank of colonel in the Army on or after the 18th February 1861, will rise on the separate lists above referred to, towards the allotted establishment of general officers of each corps.

64. As regards the field officers of the staff corps, it is most desirable that they should be brought hereafter on to the general list of the British Army, and that this should be effected with the least possible disturbance of the present rate of promotion in either service; and it has been determined, therefore, to bring on to the list of the British Army all colonels of the Staff Corps, whose dates of commissions as lieutenant colonel, are subsequent to the 17th February 1861, leaving all those who attained the rank of lieutenant colonel, prior to the formation of those corps, to rise to the rank of general officer on the Indian list. In these measures His Royal Highness the Field Marshal Commanding in Chief has concurred, and a Warrant for carrying them into effect has been submitted to and approved by Her Majesty. I enclose a copy for your informaton. Dated 15 June 1864.

65. It only remains to consider the first of the above three complaints. In the opinion of the Commission, the extensive promotion made under the Staff Corps rules unnecessarily gave superior rank to many of the Indian officers selected for those corps, and caused extensive supersession of the officers remaining with their regiments.

66. It is evident that a complete remedy for this supersession in Army rank must be found either in the withdrawal of the rank given to the Staff Corps officers, or in granting such army rank to the officers of the Indian Army as shall restore them to the relative position, as regards the Staff Corps officers, which they held before the formation of those corps.

67. Her Majesty's Government would have been very reluctant to adopt the first of these two courses, which must have been productive of much embarrassment and disappointment to a very large class of deserving officers, while the replacing of those officers in their regiments would not have been without its disadvantages, even to the complainants themselves.

68. It has been considered, therefore, that the only satisfactory course open to the Government is to confer upon the officers of the Indian Army generally, such Army rank as shall entirely remove all ground for complaint upon this head, by restoring to all who had been superseded the relative position, as regards the Staff Corps officers, which they held before the formation of those corps.

69. Her Majesty's Government believe that the object in view can be effectually attained, by an extension of a system, which has for many years existed in India, of giving brevet rank by a length of service, heretofore applicable only to the promotion of subalterns, and by granting to the officers of the Indian Service Army rank under the following rules; the adoption of which has, with the concurrence of His Royal Highness, the Field Marshal, Commanding in Chief, been determined upon, viz.:—

That all officers whose Commissions bear date on or before the 18th February 1849, shall be promoted to the rank of captain by brevet.

All officers whose first Commission bear date on or prior to 18th February 1841, shall be promoted to the rank of major by brevet; and

All officers whose first Commissions bear date on or prior to 18th February 1835, shall be promoted to the rank of lieutenant colonel by brevet; all such promotions to bear date 18th February 1861.

After the 18th February 1861, officers of the several Staff Corps, and of Her Majesty's Indian Army generally, shall be granted brevet rank under the following regulations:—

After 12 years' standing in the Army from date of first Commission, to be	-	-	-	-	- Captains.
After 20 years'	,,	,,	,,		Majors.
,, 26 ,,	,,	,,	,,		Lieutenant colonels.

On and after the 18th February 1866, all officers who have served 31 years

on full pay, five of which shall have been in the grade of lieutenant colonel, to be promoted to the rank of colonel by brevet.

70. His Royal Highness the Field Marshal Commanding in Chief has expressed his intention of recommending to Her Majesty that the officers of the British Army serving in India, including the Ordnance Corps, shall have army local rank in India conferred upon them after precisely the same periods of service and under the same rules, special provision being also made in cases where line and Indian officers may serve together elsewhere.

71. It is to be understood that the system of promotion to brevet rank now introduced, will cease in its application to the several grades of the army on the extinction of those grades among the officers of the Indian Army. Thus, when the whole of the lieutenants of the Indian Army shall have been promoted to the rank of captain, the promotion of officers in the Staff Corps to the brevet rank of captain under the above rule will be discontinued, and so on with the higher grades.

72. Her Majesty's Government have thus endeavoured fairly to meet the complaints which have been addressed either to Parliament or to the Government, and the measures which they have adopted, although not free from some objection, remove the three cases of grievances which the Commissioners reported to be well founded. Her Majesty's Government, however, being anxious to extend to the officers of the Indian Army every boon which can be given consistently with fairness to other branches of Her Majesty's service, and without imposing undue charges on the revenues of India, have determined on adopting a further measure which will be attended with considerable benefit to the Indian officers.

73. Your Government will have observed, that one of the principal complaints made by the officers of the Indian Army related to the retention on the cadres of regiments of the names of officers who had joined the several Staff Corps.

74. The Commission do not consider that this arrangement, necessary as it was, from the circumstances of the case, was an infringment of the Parliamentary guarantee.

75. Irrespective of the very great expense which would have been involved in the opposite course, *i. e.*, that of removing those names, and making promotions in their places, a serious objection presented itself, in the very unequal promotion that would have been given in different regiments.

76. The latter objection does not apply to the removal of the names of officers above the rank of major from the general regimental list of the Indian Armies, and Her Majesty's Government have resolved that the names of officers of the Staff Corps and new line regiments shall, on coming into the position of regimental lieutenant colonel on those lists, be struck out, and that promotion shall be made in their places.

77. Such promotion will be equaly distributed, instead of operating unfairly in different regiments, and although some additional expense will be thus thrown upon the finances of India, the amount will not be very serious.

78. Her Majesty's Government have not overlooked the large increase which this measure will make in the number of officers of the higher ranks serving in India. It is impossible, however, that any measure which accelerates promotion should not have this effect; and Her Majesty's Government are glad to give this additional proof of the estimation in which they hold the services of the officers of the Indian Armies.

79. In carrying out this resolution, it will be necessary to remove from the list of colonels, with colonel's allowance, the several officers who have been transferred to the new line regiments, making promotion in their room on the principle laid down in my Despatch, No. 320, dated 10th August 1861, paras. 17 and 18; and in like manner to strike out the names of all officers of the Staff Corps and new line regiments now borne in italics, upon the list of regimental lieutenant colonels of cavalry and infantry in the three Presidencies, making promotion in their places up to the establishment laid down in a preceding para. (52). In making promotion in future from the list of majors

to

to that of lieutenant colonel, the name of every Staff Corps officer, on coming on the list of regimental lieutenant colonels, will be struck out and promotion made in his place.

80. You will give the necessary orders for making the arrangements for the prescribed establishment of lieutenant colonels for the three Presidencies; for the promotions in the cadres of native regiments, from which officers have joined the new line regiments; for the promotions to brevet rank of the officers of the Indian Army and of the several Staff Corps; and for removing from the list of colonels with colonel's allowance the names of the several officers who have been transferred to the new line regiments, as well as those of all officers of the Staff Corps and new line regiments now borne in italics, on the list of regimental lieutenant colonels of the three Presidencies; and you will cause the necessary promotions to be made in connection with these arrangements, and submitted to me for Her Majesty's approval. Para. 52. Para. 55. Para. 69. Para. 79.

81. With this measure, the arrangements as regards the officers of the Indian Army will be closed. The advantages which have been conferred upon the majority of those officers have already been pointed out, and it cannot be doubted that, under the system now established, the officers of the Indian Army will, for the most part, attain to the several regimental grades, including that of colonel with colonel's allowance, in a shorter period of service than they would have done had the several Staff Corps not been formed, and had no change in the constitution of the Indian Army taken place. Her Majesty's Government trust that the officers who are affected by these changes will feel that, whilst a reduction of the Indian Army was indispensable, and a regard for the finances of the Indian Empire was an imperative duty, neither of these considerations have prevented the Government from showing that regard for their interests which the gallantry and services of the Armies of India deserved.

I have, &c.,
(signed) *Charles Wood.*

HOME AND FOREIGN.

(Circular No. 867.)

VICTORIA R.

WHEREAS it has been represented to us that it is expedient to cancel the Regulations (except clauses 9 and 10 thereof) established by our Royal Warrant of 1st January 1862, for the amalgamation of the general and field officers of our Indian Armies with the general and field officers of our regular Army, and for the promotion of the officers to higher rank: Our will and pleasure is, that instead of the provisions contained in clauses 1, 2, 3, 4, 5, 6, 7, 8, 11, and 12, of the before-mentioned Regulations, which are hereby cancelled, those contained in the Regulations annexed to this our Royal Warrant shall be established, and shall govern the promotion to the rank of general of the officers of the Cavalry and Infantry of our Indian Forces, the officers of the Royal Artillery and Royal Engineers lately belonging to our Indian Forces, and the officers of our several Staff Corps. 7641—198.

Given at our Court at St. James', this 15th day of June 1864, in the Twenty-seventh year of our reign.

By Her Majesty's Command,
De Grey and Ripon.

REGULATIONS.

1. The whole of the officers of Cavalry and Infantry of Her Majesty's Indian Army shall remain on the Indian general list, as before the Warrant of 1st January 1862, and shall rise on that list to the rank of general officer; the establishment of general officers of the Indian Army being, from time to time reduced in the manner hereinafter provided. 7641—198.

2. The colonels of Royal Artillery and Royal Engineers late of the Indian Army who had attained that rank previously to the 18th February 1861, will

continue to rise to the rank of general officer on the Indian List; but when the last of such colonels of Artillery or Engineers, as the case may be, is promoted to the rank of major general, the promotion of officers in that branch of the service to the rank of general officer upon the Indian general list shall in each case cease.

3. The whole of the general officers of the Royal Artillery or Royal Engineers, as the case may be, on the Indian list of the three Presidencies, will in each case be then removed from that list, and placed upon separate lists for Indian Royal Artillery and Indian Royal Engineers respectively, with an establishment of 26 general officers for the former corps, and 12 for the latter. If at the time of the creation of these lists there shall be an excess in any grade of the general officers of either arm above the prescribed establishment, the supernumeraries shall be reduced by the absorption of one vacancy in every three; and if the numbers of generals of either arm shall be less than the establishment, the numbers shall be completed by the promotion of the senior colonels of Artillery or Engineers, as the case may be, on the united lists of the three Presidencies, according to their Army rank.

Artillery.	
Generals -	5
Lieut. generals -	8
Major generals -	13
	26

Engineers.	
Generals -	2
Lieut. generals -	4
Major generals -	6
	12

4. Vacancies in each of these lists will be filled as they arise by the promotion of the senior colonel on the Indian lists of Artillery or Engineers, as the case may be, according to Army rank, and this shall continue until all the officers of the late Indian Artillery or Engineers respectively have risen to the rank of major general on their separate lists. Then the general officers on the Indian (Royal) Artillery list shall be incorporated with the general officers of the British Royal Artillery, according to dates of commissions, and the general officers of the Indian (Royal) Engineers with the general officers of the British Royal Engineers. Thenceforward, the establishment of general officers of the Royal Artillery will consist of 58, and the establishment of general officers of the Royal Engineers of 28; and vacancies will be filled by the promotion of the senior colonel of either corps, according to Army rank, under the Regulations of the British service.

Royal Artillery.	
Generals -	11
Lieut. generals -	18
Major generals -	29
	58

Royal Engineers.	
Generals -	5
Lieut. generals -	9
Major generals -	14
	28

5. On the formation of separate lists of general officers for (Royal) Indian Artillery or Engineers respectively, the whole of the officers of the Indian Artillery or Engineers, as the case may be, including general officers, will be removed from the list of the Indian Army, and placed on the general list of the British Army; upon which the promotion up to the rank of lieutenant colonel inclusive will be made, indiscriminately with that of officers of the Guards, Line, Royal Artillery, Royal Engineers, and Royal Marines, in succession to vacancies on the general officers' list of the British Army and Royal Marines, and the Indian Royal Artillery and Royal Engineers thus amalgamated.

6 The number of general officers on the present Indian establishment on account of the Ordnance Corps, is 24 for the Artillery and 11 for the Engineers. The Indian establishment of general officers will, therefore, be reduced to this extent on the transfer of generals of Artillery and Engineers to separate lists. If at the time of transfer there shall be upon the Indian general list more than 24 generals of Artillery, promotions shall be made from the colonels on the general list of the Indian Army to the extent of the excess; if there shall be less than 24 generals of Artillery at the time of transfer, the establishment of generals on the Indian list shall be gradually reduced by the absorption of one out of every three vacancies, until the reduction of 24 on account of the transfer of officers of Artillery shall be effected. The same course will be pursued in adjusting the transfer of generals of Engineers.

7. Officers of the several Indian Staff Corps who had attained the rank of lieutenant colonel prior to the 18th February 1861, shall be promoted under Indian Regulations to the rank of major general on the Indian list, and shall rise on that list until they are transferred to the British establishment in the manner hereinafter provided.

8. Officers of the several Staff Corps who had not attained the rank of lieutenant colonel previously to the 18th February 1861, shall, as they respectively attain the rank of colonel, be placed according to the dates of their commissions on the general list of colonels of the British Army, from which promotions shall be made, according to seniority, in succession to vacancies on the British establishment

establishment of general officers, under the Regulations of the British service; and the colonels so promoted shall continue to rise on that establishment from the rank of major general, by seniority, in succession to all vacancies in the higher grades.

9. In order to provide for the promotion of officers of the Staff Corps so brought upon the general list of the officers of the Army, the establishment of general officers of the British Army shall be increased, and the establishment of general officers of the Indian Army, upon which the colonels of the Staff Corps of this class will no longer rise, shall be reduced in the manner following.

10. Whenever a colonel of the Staff Corps whose name is borne on the amalgamated list would, if he had remained on the list of colonels of the Indian Army, have attained the rank of major general, an addition of one shall be made to the British establishment of general officers by the promotion of the senior colonel on the amalgamated list, whether he be a British officer or an officer brought in from the Staff Corps; and no promotion shall in such case be made to the rank of major general on the Indian list, which will be thus reduced by one general officer for every such increase given to the British establishment.

11. By this means, the British list of general officers will, from time to time, be increased, and the Indian list of general officers will, from time to time, be diminished, until the number of officers reduced on the list of general officers of the Indian Army, and the number added to the list of the British Army, shall amount to one for every 28 combatant officers on the aggregate strength of the three Staff Corps; and thenceforward all vacancies amongst general officers on the British list, by whomsoever occasioned, shall be filled by the promotion of the senior colonel on the amalgamated list of the British Army, whether of the Guards, Line, or Staff Corps, as the case may be.

12. On the first addition of a major general to the British establishment being made, in the manner laid down in Paragraph 10, the whole of the officers of the Staff Corps on the Indian list (including the general officers) shall be transferred to, and take their places on, the general list of the British Army, according to the dates of their respective commissions, and shall rise thereon to the rank of lieutenant colonel inclusive, in succession to vacancies on the general officers' list, indiscriminately with officers of the Guards, Line, Royal Artillery, Royal Engineers, and Royal Marines.

13. As the number of general officers on the British list increases, and the number on the Indian list diminishes, the establishment of generals, lieutenant generals, and major generals on each list, shall be, from time to time, so adjusted as to maintain as nearly as may be the proportions now existing in the British service; but any reductions that may be requisite shall be made only by gradual absorption of every third vacancy amongst supernumeraries in the higher grades.

War Office,
15 June 1864.

EAST INDIA (OFFICERS).

COPIES of the DESPATCH to the Government of *India*, dated 17 June 1864, No. 194, informing them of the Steps taken by Her Majesty's Government consequent on the REPORT of the COMMISSION appointed to inquire into the alleged Departures from the Parliamentary Guarantee to OFFICERS of the INDIAN ARMIES; and, of the ROYAL WARRANT referred to in the 64th paragraph of the above Despatch, regarding the AMALGAMATION of the GENERAL OFFICERS of HER MAJESTY'S BRITISH and INDIAN FORCES.

(*Sir Minto Farquhar.*)

Ordered, by The House of Commons, *to be Printed,*
23 *June* 1864.

427.

Under 2 *oz.*

EAST INDIA (OFFICERS OF NATIVE REGIMENTS).

RETURN to an Address of the Honourable The House of Commons, dated 21 April 1864;—*for*,

"COPIES of the COURT of DIRECTORS' DESPATCH of the 10th day of September 1856, No. 143, expressing their Opinion as to Thirteen Officers being required to be always present with NATIVE REGIMENTS for Regimental Duty in time of Peace, and that in time of War every available Officer detached from Regiments for Staff Employment should forthwith join their Regiments:"

"Of EXTRACT from DESPATCH of the 18th day of January 1861, No. 27, from the Secretary of State for *India*, addressed to the Governor General of *India* in Council, which fixes Six Officers as the Number required for each NATIVE REGIMENT:"

"And, of Governor General's Recommendation for the Six Officers for IRREGULAR NATIVE REGIMENTS."

India Office,
27 April 1864.

T. T. PEARS, Major General,
Secretary for Military Correspondence.

COPY MILITARY LETTER to India, dated 10 September 1856, No. 143.

Reply to Letter, dated 5 April 1856, No. 127.

Urgent representation of the paucity of European Officers, and recommendation for the appointment of Supernumerary Cadets for the Bengal Infantry.

1. THE difficulties which our several Governments, and especially those of Bengal and Bombay, have experienced in providing officers for staff and other detached employments, and at the same time in maintaining regimental efficiency have, as you are aware, been long a source of anxiety to us. We informed you in February last, that we awaited only the receipt of an intimation from the Governor General in Council as to the extent of the deficiency of officers, and the best means of supplying it, when our immediate attention would be given to that important subject.

2. We have attentively considered the Minute recorded by the Marquis of Dalhousie just before his Lordship's departure for Europe, on the augmentation of European officers required for the Indian Army, in connection with several other Minutes on the organization of that Army. You have promised to furnish us with your views on the several important subjects discussed in these Minutes; meanwhile you have earnestly pressed on our attention the necessity of furnishing you with a number of supernumerary cadets, leaving for future consideration the question as to the grades of rank in which the augmentation should be made.

3. When the cadets now on their passage or preparing for examination have arrived, the existing vacancies will be filled up.

4. As an immediate measure of relief it is our intention to send cadets supernumerary to the present establishment, to the extent of one to each regiment of Native Infantry and cavalry, and two to each European regiment, at the three Presidencies.

5. But we need hardly say the mere appointment of one or more officers to the rank of ensign, in addition to those at present on the establishment of a regiment of Native infantry, would not be the remedy required to meet effectually the present exigencies of the Indian Army. From their youth and inexperience,

and want of rank, such additional officers would form no adequate substitute for the older and experienced officers who have been withdrawn from regimental duty. Sir C. Napier, in a letter dated the 29th July 1846, addressed to the Governor General of India, observed that, "The Court of Directors may rest assured that neither the Native officers nor the Sepoys look with either respect or affection upon a set of young European officers who, as far as I can observe, scarcely speak to, much less mix with and study the character of the Native officers."

6. The most influential, and therefore most useful officers in Native regiments, are the field officers, captains, and senior subalterns, who have obtained mature experience of the Native character; also the Native officers when not superannuated. It would not be prudent to confine ourselves now to a measure which in its immediate operation would add no strength to these classes. It must be our aim to augment the ranks upon which calls for detached employment are most frequently made, so that ultimately those calls may be met without risking the discipline of our regular regiments.

7. That the want is pressing, we fully admit. It has been necessarily occasioned by the requisitions for staff and civil services, and for local and irregular corps, which could only be effectually met by transferring to them officers of the very class and description who are most urgently required for regimental duties; and who are best qualified to command the respect, and to conciliate the affections, of every class of the Native soldiery.

8. These considerations would have induced us to determine to allow two additional captains to every regular Native regiment in our service; but in the actual condition of the finances, we must confine ourselves to sanctioning your appointment of one additional captain and one additional lieutenant to every regiment of Native infantry and cavalry of the regular formation in the three Presidencies, and of two additional captains and two additional lieutenants to each European regiment; to have effect from the expiration of one month from the date of your receipt of this Despatch. The senior lieutenants generally are, we are persuaded, well qualified to inspire their men with confidence and pride in our military system, and to conduct with efficiency the important duties which will devolve upon them on being promoted the higher grade.

9. We take this opportunity of expressing our opinion that the Native regiments of the Line should always have present with them for regimental duty in time of peace:—

1 For command.
10 Eligible for command of companies.
2 Eligible for regimental staff, besides the young ensigns who are training for these duties; and that, in time of war, every available officer detached from the regiment for staff employment, should forthwith rejoin it.

10. We are very sensible of the unprecedented deficiency of officers of artillery to meet your urgent demands in that branch of the service. The subject is one of great importance, and we propose to inform you of our intention respecting it when we have received your expected Despatch on the state of the Army.

11. Extension of territory may require some extension of the Army, though with reference to the existing position of the British Government in India, it ought not, under a rule just and circumspect, to require any great increase. But whatever may be necessary ought to be supplied by the formation of additional regiments, and these should be of that description which, whilst inexpensive, is found to be efficient. These are of two kinds—first, "Local Corps," not only raised but recruited, from among the people in newly acquired territory;—secondly, "Irregular;" in either case, with a complement of three, or at most four, officers selected solely on account of their perfect qualifications for a peculiar, but very effective service.

12. Regiments called "Irregular," have been increased in number of late years. We rely on their value for all purposes, and as regards the Irregular Cavalry, for a political and most important object, that of opening a sphere of attractive employment in the British Service for the Native yeoman and the Native gentry.

13. It may be advisable that our local Governments should inquire to what extent, in certain provinces of India, the presence of troops can, with safety, be dispensed with altogether, and in other localities, how far Local and Irregular Corps,

Corps, with few European officers, may be effective for duties now devolving on regiments of the Line.

14. Habit in India may connect the idea of insecurity with the dispatch of treasure by any other means than under an escort of regular troops. We consider that this practice is not creditable to our administration. When it is necessary to remit treasure, the ordinary police guards, or guards of Irregulars, ought to suffice for protecting British treasure on roads through British territory.

15. By these and other methods, to which we hope you will turn your attention, the number of men necessary for service might be diminished.

16. You have found it necessary to recommend that the existing limitation of the number of officers to be withdrawn from each regiment of Native Infantry, may be modified so as to exclude Regimental Field Officers from the computation; and to establish seven instead of six, as the allowed number of absentees on staff and detached employment, of whom three may be captains. This modification of the existing regulation has our sanction.

17. We have observed with satisfaction that our desire to see the supply for staff and detached employment, equalised, as much as possible, at the three Presidencies, has been attended to by the withdrawal of additional numbers from the Madras Army for appointments which are open to officers of the three Presidencies. This object you will keep constantly in view, as it is important that the existing system of uniform regimental establishments at the several Presidencies should be steadily maintained.

Extract Military Letter to India, dated 18 January 1861, No. 27.

4. The events of the late Mutiny have impressed upon Her Majesty's Government the absolute necessity of a large reduction of the Native Army, and, with a view to that economy which is imperatively called for by the state of Indian finance, it appears to them that the number of officers hitherto attached to the Native regiments organised on what is called the Regular system may be considerably reduced. Your Lordship has recommended that six European officers should be employed with those regiments which are formed on the Irregular system, and your Lordship has already received the sanction of Her Majesty's Government to this arrangement. I am of opinion that a very considerable saving will thus be effected, as nearly one-half the charge of a regular regiment consists of the pay and allowances of its officers. I am inclined to believe also that the efficiency of the regiments will in no respect suffer, whilst an opportunity will be given of raising the character and position of the Native officers, and probably of affording an opening for the employment of Natives of higher position, which I consider to be an object of considerable importance.

Extract Separate Letter from the Governor General, dated 5 May 1860.

22. According to the scheme of the Commander in Chief, there are 28 (or 29) regiments of Irregular Cavalry; and it is certain that six officers to each would render these corps much more efficient than they have hitherto been; on active service, less than that number does not suffice. Also his Excellency proposes 45 regiments of Irregular Infantry (in addition to the 15 regular Native infantry regiments), to each of which I would assign six officers. On this plan, the cavalry corps require 168 officers, and the infantry 270; both together, 438 officers.

Extract Military Letter to India, dated 5 September 1860, No. 348.

11. I concur in the opinion expressed in your Lordship's separate letter of the 5th May that the number of European commissioned officers serving with Native irregular regiments should be increased to six, and you are authorised to carry out this measure at once, as far as officers may be available.

EAST INDIA
(OFFICERS OF NATIVE REGIMENTS).

COPIES of the Court of Directors' DESPATCH of 10 September 1856, expressing their Opinion as to Thirteen Officers being required to be always present with NATIVE REGIMENTS for Regimental Duty in time of Peace, &c.; of EXTRACT from DESPATCH of 18 January 1861, from the Secretary of State for *India*, addressed to the Governor General of *India* in Council, which fixes Six Officers as the Number required for each NATIVE REGIMENT; and, of Governor General's Recommendation for the Six Officers for IRREGULAR NATIVE REGIMENTS.

(*Colonel Sykes.*)

Ordered, by The House of Commons, *to be Printed,*
29 *April* 1864.

Under 1 *oz.*

EAST INDIA (PAPER CURRENCY, &c.)

RETURN to an Address of the Honourable The House of Commons, dated 11 February 1864;—*for*,

"COPY of the PAPERS and CORRESPONDENCE relating to the Issue of a GOVERNMENT PAPER CURRENCY in *India*, as proposed by Mr. *Wilson*, and carried out by Mr. *Laing*, and the Transfer of the Business of the Government Treasuries to the Banks of *Bengal*, *Madras*, and *Bombay* (in continuation of Parliamentary Paper, No. 215, of Session 1862):"

"And, RETURN of the Amount of GOVERNMENT PAPER Issued, showing the Total Amount of the NOTES, and the SECURITIES to meet the same; and showing the CAPITAL respectively of the Banks of *Bengal*, *Madras*, and *Bombay*, and the Amount of STOCK held by the GOVERNMENT as Shareholders in each Bank."

India Office,
4 March 1864.

T. L. SECCOMBE,
Secretary, Financial Department.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*,
7 *March* 1864.

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Financial Department.—No. 51 of 1862.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Secretary of State for India.

Sir,

IN continuation of our Despatch in this department, No. 19, dated the 10th ultimo, and its enclosures, we have now the honour to forward for your information copies of the agreements with the Banks at Madras and Bombay, and of Acts IV., V., and VI., as specified in the subjoined list.

2. With regard to the Madras and Bombay Charter Acts, we beg to state, that the draft of the Madras Charter Act has been approved generally by this Government, and returned to the Madras Government with certain alterations for the purpose of being passed into law.

3. The Bombay Bank Charter is daily expected, and copies of both the Madras and Bombay Bank Charters will be forwarded to you in due course when passed into law.

We have, &c.
Elgin & Kincardine.
H. B. E. Frere.
C. Beadon.
S. Laing.

Fort William, 25 March 1862.

Enclosures to No. 51 of 1862.

NOTIFICATION.

NOTICE is hereby given, that the General Treasury of Her Majesty's Government of Bombay shall, from and after the 1st day of March 1862, be established at the Bank of Bombay. All payments to be made by and to Her Majesty's Government of Bombay at the said General Treasury at Bombay, shall and may, from and after the above-mentioned date, be made at the said Bank of Bombay.

2. The issue of the Government promissory notes provided for by Act XIX. of 1861, shall take effect from and after the aforesaid date.

3. The terms on which the business of the General Treasury and the Government paper currency shall be conducted by the Bank of Bombay are contained in the following:—

AGREEMENT with the BANK of BOMBAY.

ARTICLES of AGREEMENT made and entered into this 28th day of February, in the year of our Lord 1862, between the Secretary of State in Council for India of the one part, and the Bank of Bombay of the other part.

Whereas due notice, in accordance with the provisions of Act III. of 1840 of the Legislative Council of India, "for the Incorporation of the Bank of Bombay," has been given on the 21st day of February 1861, by the Governor-General of India in Council to the Directors for the time being of the Bank of Bombay, as incorporated and constituted under the said Act III. of 1840, that the said Bank was to be modified by the power of the said Bank to issue promissory notes payable on demand, ceasing from and after the 1st day of March 1862. And whereas by Act XIX. of 1861 of the said Legislative

Council, being "An Act to provide for a Government Paper Currency," and whereby provision has been made for the issue by the Government of India of promissory notes payable to bearer on demand, it was (amongst other things) enacted, that section 31 of the said Act III. of 1840, so far as the same section authorised the said Bank of Bombay to issue promissory notes payable on demand, should be repealed from and after the said 1st day of March 1862, and that after the passing of the said Act now in recital, no body corporate, person, or persons whatsoever in British India (except the Banks of Bengal, Madras, and Bombay, up to the said 1st day of March 1862, and except as thereinafter provided) should draw, accept, make, or issue any bill of exchange or promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe, or take up any sum or sums of money on the bills or notes payable to bearer on demand of any such body corporate, or of any such person or persons (subject, nevertheless, to the proviso next thereinafter contained). And whereas by Act No. XXIV. of 1861 of the Legislative Council of India, "An Act to enable the Banks of Bengal, Madras, and Bombay to enter into arrangements with the Government for managing the issue, payment, and exchange of Government currency notes, and certain business hitherto transacted by the Government Treasuries," it was (amongst other things) enacted, that it should be lawful for any of the said Banks, by agreements under their corporate seal, to enter into agreements with the Secretary of State for India in Council, through the Governor-General of India in Council, the Governor of Madras in Council, and the Governor of Bombay in Council, respectively, for superintending, managing, and becoming agents for the issue, payment, and exchange of promissory notes of the Government of India, payable on demand under the said Act XIX. of 1861, or any Act which might thereafter be passed in relation to the paper currency of the Government of India for the carrying on the business of an agency of issue under the said Act XIX. of 1861, in any circle of issue in which any of the said Banks should have established a branch bank under Act VI. of 1839 (relating to the Bank of Bengal), or any other Act, and for transacting any part of the business of, or hitherto generally transacted by or at, the General Treasury of the Governments at the several Presidencies of Fort William, Madras, and Bombay respectively. And whereas negotiations have been pending, and arrangements in course of discussion between the Governor in Council of Bombay (acting on behalf of the said Secretary of State) and the Directors of the Bank of Bombay, for the purpose of carrying into effect and exercising the objects and powers of the said Act XIX. of 1861 and Act XXIV. of 1861, and such negotiations and discussions have resulted in the agreement or arrangements, the terms and conditions of which are hereinafter intended to be expressed. Now, these presents witness, that for the purpose of carrying into effect the objects of the said Act XIX. of 1861 and Act XXIV. of 1861, and in exercise and execution of all and every the powers in the same Acts or either of them contained, and of all and every other the powers in any wise enabling them, the said parties to these presents in this behalf, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these presents respectively to be paid and performed, each of them the said parties to these presents doth hereby for himself and themselves respectively, and his and their respective successors, covenant with the others and other of them, and their and his respective successors, in manner following (that is to say):—

1st. From and after the day to be appointed by the notification mentioned in the 21st paragraph of these presents, the business of receiving and paying money on behalf of the Government of Bombay, heretofore transacted at the General Treasury at Bombay, shall be carried on and transacted by the Bank of Bombay, subject to the provisions of this agreement, and to such orders and directions (not being inconsistent with the provisions of this agreement), with regard to the receipts and payments, as may from time to time be given to the said Bank by the Governor in Council or any of the officers of the Government of Bombay authorised in that behalf, and for the purpose aforesaid, such account or accounts shall be opened in their books by the said Bank with the Government of Bombay, as the said Government of Bombay shall from time to time direct.

2d. The cash balance which shall, on the day appointed by the notification aforesaid, be in the General Treasury, shall on that day be transferred to and deposited with the Bank of Bombay, who shall thereafter receive for the said Government of Bombay all moneys and balances which, but for these presents, would have been received by the said General Treasury; and the Bank shall transact, at their principal office in Bombay, all such business for the Government of Bombay, regarding the receipt, collection, payment, and remittance of money and securities and other matters as is usually transacted by the bankers for their customers.

3d. During the continuance of this agreement the Government of Bombay shall carry on and transact, by and through the agency of the said Bank of Bombay, and not by or through their own officers, or the agency of any other bank or persons or person acting as such agents or agent, all such business as it is herein provided and agreed that the Bank of Bombay shall carry on and transact on behalf of the said Government.

4th. That, from and after the day appointed by the notification aforesaid, the said Secretary of State in Council shall pay to the Bank the actual costs and expenses of packing and shipping specie remitted under the preceding clause, and for which costs and expenses contingent bills shall, from time to time, be delivered to the Civil Paymaster, Bombay, for the time

time being, and be passed by him on approval; and the said Secretary of State in Council shall, from and after the last-mentioned day, further pay, or cause to be paid, to the said Bank, the yearly sum of 12,240 rupees in full of all costs and expenses of the said Bank of Bombay in respect of the carrying on and transacting by them of the said Government banking account and business, and the Bank shall not charge any interest or commission on the said account except under such arrangement as the next following clause mentioned.

5th. That, so long as the average cash balance for any month in the hands of the said Bank on the said Government banking account shall not exceed 40 lacs of rupees, the said Bank shall be at liberty to use and employ such balance in the ordinary business of the Bank, subject to the provisions of their present Act, or any further Act relating to the said Bank, and to appropriate to their own use the profits arising from such employment, without being charged by the Government with any interest in account: And that, when and so often as the monthly average of such cash balance shall exceed 40 lacs of rupees, the directors of the said Bank for the time being shall forthwith either set aside such excess or surplus in cash, to be kept in reserve in a separate cash-room or place of deposit on account of the said Government of Bombay, or shall at their option invest such excess or surplus on account of the Government of Bombay, either in the purchase of Government securities or railway debentures guaranteed by Government, in the names of the Accountant-General, or of such other officer or officers as the Government of Bombay shall from time to time direct, or in the discount of Government acceptances or other claims against the Government, so that such surplus shall be withdrawn from employment as part of the general funds of the Bank, and so on from time to time as often as an uninvested surplus cash balance above 40 lacs of rupees shall, on taking the monthly average, appear to be in the hands of the Bank. And the said Bank shall at all times be answerable and accountable to the Government of Bombay for the surplus cash balance for the time being so set apart or invested, but shall be entitled to draw and apply the interest or dividends arising from such investments, from time to time, to their own use. But when and so often as the cash balance in the hands of the said Bank shall, on the taking of the monthly average, appear to have been less than 30 lacs of rupees, then, in addition to the profit which the said Bank may acquire by the employment of such balance, free from interest as aforesaid, an additional allowance or remuneration by way of compensation shall be made to the Bank by the payment by Government of interest on the difference between the amount of such monthly average and the sum of 30 lacs, the interest being calculated at the average rate of interest paid by the public on fixed loans during the month.

6th. That the books of account and minutes of proceedings of the Bank, relating as well to the said Government banking account and business as to the general accounts and business of the Bank, shall, from time to time, and not less than once, and not exceeding four times in any one year, be submitted to the examination and audit of an officer or officers to be, from time to time, appointed or authorised by the Governor in Council for the purpose, and the report of such officer or officers as to the state of the banking account between the Government of Bombay and the Bank, or as to the cash balances invested or uninvested for the time being in the hands of the Bank, or as to any proceeding relating to the said banking account or business transacted by the said Bank on behalf of the said Government, shall first be laid before the directors of the Bank to enable them to furnish any explanation or further information touching any of the matters referred to in the report; and such report, together with the explanation, shall then be submitted to the Governor in Council, whose order, decision, or finding on such report and explanation shall be binding and conclusive on the Bank, so far as relates to matters by the same report and explanation appearing to have been done and transacted.

7th. That, from and after the day to be appointed in the notification aforesaid, an Agency of Issue shall be established at the principal office of the Bank of Bombay as the agency for the Circle of Issue (of Bombay) under Act XIX. of 1861; and that the said Bank shall and will act as agents for the said Secretary of State in Council, the Government of India, and the Government of Bombay in and for the issue to the public at Bombay, and the circulation of the Government currency notes established by the said Act, and in the payment and cashing of such notes, and in all things required to be done by such agents or at such agency, under or by virtue of the said Act.

8th. That all demands for the issue of the Government currency notes that shall be made in the Circle of Issue of Bombay, under the 9th section of the said Act XIX. of 1861, may be made at the said agency at the principal office of the Bank of Bombay; and that the said Bank (such notes having been duly supplied to them on the part of the said Government and of such denominations as shall be requisite in this behalf) shall and will, from time to time, issue and deliver from and at such agency such amount of the said Government currency notes, and of such denominations as may be duly demanded or applied for at the said agency by any person or persons, or body or bodies corporate, desiring and entitled to have the same issued under the provisions of the said Act; and shall and will, for that purpose, from time to time, apply to the Commissioner of the Department of Issue at Bombay, established under the said Act, for such Government currency notes of such denominations as shall be necessary to enable the said Bank to make such issue and delivery.

9th. That whenever the said Bank shall issue and deliver at and from such agency any Government currency notes under the 2d clause of the said 9th section of the said Act in

exchange for standard silver bullion, or foreign silver coin, or under the proviso in the said section in exchange for foreign gold coin or gold bullion, the said Bank shall and will, before such issue and delivery, require the production, by person tendering such coin or bullion, of a certificate signed by the Master of the Bombay Mint, or other the person for the time being authorised for such purpose, that such coin or bullion has been weighed and assayed, and has been deposited in the Mint to the full amount in the value of the notes so to be issued, or shall otherwise satisfy themselves that such bullion or coin to the amount in value of the notes so to be issued at the rates authorised in the said clause and proviso respectively, has been deposited with the said Department of Issue, to the satisfaction of the said Commissioner, according to such mode as shall, from time to time, be directed, with the sanction of the Government of Bombay, by the said Commissioner.

10th. That whenever the said Bank shall issue and deliver at and from such agency any Government currency notes under the 1st and 3d clauses of the 9th section of the said Act XIX. of 1861, in exchange for current silver coin of the Government of India, or for other currency notes of the Government of India, payable to bearer on demand, of other amounts issued within the said circle, or under the proviso in the said section, in exchange for gold coin of full weight of the Government of India, the said Bank shall carry the amount of the said current silver coin or notes, or gold coin of the Government of India, received by it in exchange for the notes so issued, to the credit of the Issue Department of the Government of Bombay in such account as the said Commissioner, with the sanction of the Government of Bombay, shall from time to time direct for that purpose.

11th. That the said Bank shall not issue or deliver any of the Government currency notes provided and supplied to it by the said Commissioner for the purpose of being issued under the said Act, except to such person or persons, or body or bodies corporate, as shall be entitled to demand the same according to the provisions of the said Act, and who shall have complied with the conditions of the 9th section thereof, or otherwise than according to the provisions of the said Act.

12th. That the said Bank shall and will, during the continuance of this agreement, pay and satisfy on demand to the holders the amount of all Government currency notes duly issued according to the provisions of the said Act XIX. of 1861, either in Bombay or in any other Circle of Issue within the Presidency of Bombay, which shall be presented for payment or conversion into cash at the principal office of the Bank in Bombay.

13th. That a settlement shall take place at least twice in every week, and, if required by the Bank, or by the Commissioner of the Issue Department at Bombay, daily, at the office of the Bank in Bombay between the Bank and the said Department of Issue, in respect of the notes issued, the bullion or coin, and notes in exchange for which the same have been issued; and the notes (including notes issued in Bombay, or in any other Circle of Issue within the Presidency) cashed or converted, under these presents of the said Act, by the bank, and the difference in Government currency notes, or in cash and bullion (as the case may be) shall, on such settlement, be adjusted, transferred, and paid.

14th. That so much of the business of the said Issue Department as shall, from time to time, be carried on at the Bank's office, shall be under the direct control and inspection of the Commissioner of the said Department of Issue at Bombay.

15th. That the Bank shall, if required by the officer in charge of the Government Issue Department at Bombay so to do, provide and keep a separate strong room or strong box for the reception and safe keeping of all currency notes, coin, and bullion belonging to the said Issue Department; and such room or box shall be under the separate control of the said Issue Department; and its contents shall always be kept separate from the Bank funds and property, and shall be at the exclusive risk of the Government of Bombay, except in case of loss through the neglect, default, or misconduct of the bank or any of its officers or servants.

16th. That the Bank shall at any time during the continuance of this agreement, when, and if required by the Governor of Bombay in Council, but not otherwise, provide a sufficient and convenient office for the Department of Issue at Bombay, and for the Commissioner of the said office in or upon the banking house or establishment in Bombay of the said Bank, at which office the said Commissioner shall and may conduct the whole or any such part of the business of issue of the said Department of Issue, as the Governor of Bombay in Council may from time to time direct; and that the bank shall and will provide the necessary accommodation and establishment of clerks and servants for carrying out the current duties of the said office.

17th. That the whole responsibility for loss or damage that may be occasioned by, or arise in respect of, the theft or loss of any Government currency notes made under the said Act XIX. of 1861, from and after the time of the said currency notes being delivered from the said Department of Issue to and at the said Bank for issue, or to any servant or agent of the said Bank for delivery to the said Bank for issue: and the whole responsibility for any loss or damage that may be occasioned to the said Government of Bombay, or to the said Bank of Bombay in respect of the wrongful payment, exchange, or satisfaction through mistake, or otherwise, at or by the said Bank of any Government currency notes, which ought not to be paid, exchanged, or satisfied, or of any forged or spurious notes purporting to be Government currency notes, or in respect of the forgery or alteration of any Government currency notes, or in respect of any error or mistake committed by

by the said Bank or by any of its officers or agents in conducting the agency aforesaid, although the same shall have been conducted under the control and inspection of the said Commissioner of the Issue Department, shall, as between the said Secretary of State for India in Council and the said Bank, rest solely and entirely with, and shall be borne by, the said Bank, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for and in respect of any such loss.

18th. That as and by way of remuneration to the Bank for their conducting as aforesaid the said agency for the issue of the Government paper currency, and for cashing and converting such notes after issue, the Bank shall be entitled to charge the said Secretary of State in Council with a commission, calculated at the rate of three-fourths per cent. per annum on the daily average amount of Government currency notes outstanding and in circulation through the said agency of the Bank at Bombay, and which commission may be debited to the said Secretary of State in Council in the said banking account between the Government of Bombay and the Bank, the amount of such daily average to be established (if required) to the satisfaction of the officer for the time being in charge of the said issue department.

19th. That in case a separate office shall be provided by the said Bank for the said Commissioner of Issue, upon the requisition of the Governor in Council, under the 16th clause of these presents, the Bank shall also be paid by the said Secretary of State in Council the cost of providing and maintaining such separate office, and of any special establishment that may be provided for, and any special expense incurred by the Bank in respect of the same.

20th. That if at any time during the continuance of this agreement, the said Bank shall establish a branch office at any town or place other than Bombay, and the Governor of Bombay in Council shall offer to the directors of the said Bank for the time being, and the said directors shall, on behalf of the Bank, accept the business of bankers to the Government of Bombay for the district or locality within which such branch shall be established, or the business of issuing and circulating the Government paper currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank shall be carried on under and subject to the provisions of this agreement, so far as the same are applicable, and on the basis of the clauses cited in the margin, being the 3d and 5th paragraphs of the memorandum of the Government of India of the 20th of March 1861, relating to the establishment of such branch bank, except in so far as the provisions of this agreement, or of the said clauses may be modified or altered by any special agreement which the said Secretary of State in Council, through the Governor of Bombay in Council, may from time to time enter into with the said Bank in reference to the business so to be carried on at the particular branch bank.

3. As regards the establishment of branch banks, the Government will, in each Presidency, prefer dealing with the Presidency Banks when the ground is unoccupied; but when other banks have been established before the Presidency Bank thinks fit to establish a branch, the Government consider that they will have a preferable claim, on equal terms, and finding proper security.

5. If it be clear that the interest on the average cash balance at such place is not enough to make a fair contribution towards the expenses of the branch banks, the Governor will give such fixed annual payment as may be agreed upon, in each case, not exceeding the saving of cost to the Government at such place by the Bank taking its business.

21st. That the powers and authorities hereby given and conferred, and the covenants hereby entered into, shall come into operation from and after a day to be fixed by the Governor in Council by notification in that behalf, which shall be published in the "Bombay Government Gazette" within one calendar month from the date hereof, and shall not come into operation at an earlier day, and the same shall continue and be in force for the term of five years from the date fixed in and by such notification; at the expiration of which time the same shall and may, by notice in writing from the Governor in Council to the directors of the said Bank for the time being be renewed, with or without any modifications, as may be agreed on between the Governor in Council and the said directors.

4. The Mint Master at Bombay, or the person officiating in that capacity for the time being, has, subject to the confirmation of the Governor General in Council, been appointed Commissioner of the Department of Issue at Bombay.

5. The Bombay Circle of Issue within which the Government notes will become a legal tender, shall embrace all the districts of the Presidency of Bombay Proper, together with the town and station of Kurrachee in Sind.

6. The Bank of Bombay is prepared at once to establish branches at Poóna, Surat, Ahmedabad, Dhollera, Sholapoor, and Dharwar.

7. The notes will be taken and paid at all the Treasuries comprised in the Circle of Issue mentioned above.

By Order of his Excellency the Governor in Council,

J. B. Peile,
Acting Under Secretary to Government.

Bombay Castle,
28 February 1862.

(No. 35.)

Fort William, 12 March 1862.

Resolution.—The Governor General in Council approves of and confirms all the provisions of the foregoing notification.

Ordered, that the said Notification and the above Resolution be published in the "Calcutta Gazette" for general information.

C. Hugh Lushington,
Secretary to the Government of India.

Financial Department, Fort St. George, the 5th February 1862.

NOTIFICATION.

NOTICE is hereby given, that the Treasury of the Secretary of State for India in Council, and of Her Majesty's Indian Government at Madras, shall, from and after the 1st day of March 1862, be established at the Bank of Madras. All payments to be made by or to the Secretary of State in Council, or to the Government of India, or to the Government of Madras at the Treasury of the East India Company, or of the Secretary of State in Council, or of the Government at Fort St. George, shall and may from and after the above-mentioned date be made at the said Bank of Madras.

The issue of Government promissory notes provided for by Act XIX. of 1861, shall take effect from and after the aforesaid date.

The terms on which the business of the General Treasury and the Government Paper Currency shall be conducted by the Bank of Madras, are contained in the following:—

AGREEMENT with the BANK of MADRAS.

MEMORANDUM of AGREEMENT made and entered into this 4th day of February in the year of our Lord 1862, between the Secretary of State in Council for India of the one part, and the Bank of Madras of the other part.

WHEREAS the Governor of Madras in Council, under and by virtue of the provisions of Act IX. of 1843, of the Legislative Council of India, on the 25th day of February 1861, gave notice in writing to the Bank of Madras, that, from and after the expiration of 12 calendar months from the date of the said notice, the Bank of Madras and its then powers and authorities would be modified, and by Act XIX. of 1861, the powers and authorities of the said Bank have been accordingly modified, as by that Act appears: And whereas, at the time when the said notice was so given, negotiations and arrangements were pending between the Governor of Madras in Council (acting in the premises under instructions from the Governor General of India in Council, and on behalf of the said Secretary of State) and the Directors of the Bank of Madras, having for their object the transfer to the said Bank of the business of the Government Treasuries at Fort Saint George and elsewhere, in the Presidency of Fort Saint George and the Provinces annexed thereto, and the superintendence and management by the said Bank, for the Government of India, of the issue of the then proposed Government paper currency: And whereas the general terms of the said proposed arrangement have now been finally settled and agreed upon between the Governor of Madras in Council and the Directors of the said Bank, and by Act XXIV. of 1861, the said Bank have been empowered to enter into an agreement in that behalf with the said Secretary of State in Council: And whereas by Act XIX. of 1861, of the Legislative Council of India, provision has been made for the issue, by the Government of India, of promissory notes payable to bearer on demand: Now, this indenture witnesseth, that for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these presents respectively, to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Madras doth and do hereby, for himself and themselves, and his and their respective successors, covenant and agree with the other of them, and their and his respective successors in manner following (that is to say):—

1. From and after the day to be appointed by the notification mentioned in the 20th paragraph of these presents, the business of receiving and paying money on behalf of the Government of Madras, heretofore transacted at the General Treasury at Fort St. George, shall be carried on and transacted by the Bank of Madras, subject to the provisions of this agreement, and to such orders and directions with regard to receipts and payments as may from time to time be given to the said Bank by the Governor in Council, or any of the officers of the Government of Madras authorised in that behalf; and for the purpose aforesaid, such account or accounts shall be opened in their books by the said Bank with the Government of Madras as the said Government of Madras shall from time to time direct.

2. The

2. The cash balance now in the General Treasury shall, from and after the day appointed by the notification aforesaid, be deposited with the Bank of Madras, who shall also hereafter receive and hold for the said Government of Madras all monies and balances which, but for these presents, would have been received or held by the said General Treasury, and the Bank shall transact, at their principal office in Madras, all such business for the Government of Madras, regarding the receipt, collection, payment, and remittance of money and securities and other matters as is usually transacted by bankers for their customers.

3. That from and after the day appointed by the notification aforesaid, the said Secretary of State in Council shall pay to the Bank the actual costs and expenses of packing and shipping specie remitted under the preceding clause, and for which costs and expenses contingent bills shall, from time to time, be submitted to the Civil Paymaster, Fort Saint George, for the time being, and be passed by him on approval; and the said Secretary of State in Council shall, from and after the last-mentioned day, further pay, or cause to be paid, to the said Bank the yearly sum of 12,000 rupees in full, of all costs and expenses attendant on the maintenance by the said Bank of the establishment of clerks and servants necessary for the carrying on of the said Government banking account and business, and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

4. That so long as the average cash balance for any month in the hands of the said Bank on the said Government banking account shall not exceed 15*lakhs of rupees, the said Bank shall be at liberty to use and employ such balance, subject to the provisions of their present Charter Act, or any future Act relating to the said Bank, and to appropriate the profits arising from such employment without being charged with any interest in account: And that when and so often as the monthly average of such cash balance shall exceed 15 lakhs of rupees, the directors of the said Bank, for the time being, shall forthwith either set aside such excess or surplus in cash to be kept in reserve in a separate cash-room or place of deposit, on account of the said Government of Madras, or shall, at the option of the directors of the Bank, invest such excess or surplus on account of the Government of Madras, either in the purchase of Government securities, or railway debentures guaranteed by Government, in the name of the Accountant-General, or of such other officers as the Government of Madras shall from time to time direct, or in the discount of Government acceptances, or of other claims against the Government, and so that such surplus shall be withdrawn from employment as part of the general funds of the Bank, and so on from time to time, as often as an uninvested surplus cash balance above 15 lakhs of rupees shall, on the taking of the monthly average, appear to be in hands of the Bank. And the said Bank shall at all times be answerable and accountable to the Government of Madras for the surplus cash balance for the time being so set apart or invested, but shall be entitled to draw, and apply the interest or dividends arising from such investment, from time to time, to their own use. But when and so often as the cash balance in the hands of the said Bank shall, on the taking of the monthly average, appear to have been less than 10 lakhs of rupees, then in addition to the profit which the said Bank may acquire by the employment of such balance, free from interest as aforesaid, an additional allowance or remuneration, by way of compensation, shall be made to the Bank, by the payment by Government of interest on the difference between the amount of the actual balance of Government and the sum of 10 lakhs, the interest being calculated at the average rate of interest paid by the public on fixed loans during the month.

* See paragraph 2 of letter No. 13,928, dated Fort William, 28th November 1861, from Secretary to Government of India, Financial Department, to Secretary to Government of Madras.

5. That the books of account, and minutes of proceedings of the Bank relating as well to the said Government banking account and business as to the general accounts and business of the Bank, shall, from time to time, and not less than once, and not exceeding four times in any one year, be submitted to the examination and audit of an officer or officers to be from time to time appointed, or authorised by the Governor of Madras in Council for that purpose; and the report of such officer or officers as to the state of the banking account between the Government of Madras and the Bank, or as to the cash balance invested or uninvested for the time being in the hands of the Bank, or as to any proceeding relating to the said banking account or business shall first be laid before the directors of the Bank, to enable them to furnish any explanation or further information touching any of the matters referred to in the report; and such report, together with the explanation, shall then be submitted to the Governor of Madras in Council, whose order, decision, or finding on such report shall be binding and conclusive on the Bank.

6. That from and after the day appointed in the notification aforesaid, an agency of issue shall be established at the principal office of the Bank of Madras as the agency for the Circle of Issue (of Madras) under Act XIX. of 1861, and that the said Bank shall and will act as agents for the said Secretary of State in Council and the Government of India, in and for the issue to the public at Madras, and the circulation of the Government currency notes established by the said Act, and in payment and cashing of such notes, and in all things required to be done by such agents or such agency, under or by virtue of the said Act.

7. That all demands for the issue of Government currency notes that shall be made in the Circle of Issue of Madras, under the 9th section of the said Act XIX. of 1861, may

be made at the said agency at the principal office of the Bank of Madras, at Madras, and that the said Bank shall and will, from time to time, issue and deliver from and at such agency, such amount of the said Government currency notes as may be duly demanded or applied for at the the said agency, by any person or persons, or body or bodies corporate, desiring and entitled to have the same issued under the provisions of the said Act, and shall and will for that purpose, and from time to time, apply to the Commissioner of the Department of Issue, at Madras, established under the said Act, for such Government currency notes of such denominations as shall be necessary to enable the said Bank to make such issue and delivery.

8. That whenever the said Bank shall issue and deliver at and from such agency any Government currency notes under the 2d clause of the said 9th section of the said Act, in exchange for standard silver bullion, or foreign silver coin, or under the proviso in the said section, in exchange for foreign gold coin or gold bullion, the said Bank shall and will, before such issue and delivery, require the production, by the person tendering such coin or bullion, of a certificate signed by the Master of the Madras Mint, that such coin or bullion has been weighed and assayed, and has been deposited in the Mint to the full amount in value of the notes so to be issued, or shall otherwise satisfy themselves that such bullion or coin to the amount in value of the notes so to be issued at the rates authorised in the said clause and proviso, respectively, has been deposited with the said Department of Issue, to the satisfaction of the said Commissioner of the said Department at Madras, according to such mode as shall from time to time be directed, with the sanction of the Government of India, by the head Commissioner.

9. That whenever the said Bank shall issue and deliver at and from such agency any Government currency notes under the 1st or 3d clause of the 9th section of the said Act XIX. of 1861, in exchange for current silver coin of the Government of India, or for other Currency Notes of the Government of India payable to bearer on demand, of other amounts issued within the said circle, or under the proviso in the said section, in exchange for gold coin of full weight of the Government of India, the said Bank shall carry the amount of the said current silver coin or notes or gold coin of the Government of India, received by it in exchange for the notes so issued, to the credit of the Issue Department of the said Government in such account as the head Commissioner, with the sanction of the Government of India, shall from time to time direct for that purpose.

10. That the said Bank shall not issue or deliver any of the Government currency notes provided and supplied to it by the said Commissioner of the Department of Issue at Madras for the purpose of being issued under the said Act, except to such person or persons, or body or bodies corporate, as shall be entitled to demand the same, according to the provisions of the said Act, and shall have complied with the conditions of the 9th section thereof, or otherwise than according to the provisions of the said Act.

11. That the said Bank shall and will, during the continuance of these presents, pay and satisfy on demand to the holders the amount of all Government currency notes duly issued according to the provisions of the said Act XIX. of 1861, either in Madras or in any other Circle of Issue within the Presidency of Fort St. George, which shall be presented for payment or conversion into cash at the principal office of the Bank in Madras.

12. That a settlement shall take place at least twice in every week, and if required by the Bank or by the Commissioner of the Issue Department at Madras daily, at the office of the Bank in Madras, between the Bank and the said Department of Issue, in respect of the notes issued, the bullion or coin, and notes in exchange for which the same have been issued, and the notes cashed or converted under these presents or the said Act, by the Bank, and the difference in Government currency notes or in cash and bullion (as the case may be) shall, on such settlement, be adjusted, transferred, and paid.

13. That so much of the business of the said Issue Department as shall, from time to time, be carried on at the Bank's office, shall be under the direct control and inspection of the Commissioner of the said Department of Issue at Madras.

14. That the Bank shall, if required by the officer in charge of the Government Issue Department so to do, provide and keep a separate strong room or strong box for the reception and safe keeping of all currency notes, coin, and bullion belonging to the said Issue Department, and such room or box shall be under the separate control of the said Issue Department, and its contents shall always be kept separate from the Bank funds and property, and shall be at the exclusive risk of the Government of India, except in case of loss through the neglect, default, or misconduct of the Bank or any of its officers or servants.

15. That the Bank shall at any time during the continuance of this agreement, when, and if required by the Governor of Madras in Council, but not otherwise, provide a sufficient and convenient office for the Department of Issue at Madras, and for the Commissioner of the said office, upon the premises of the said Bank in Madras, at which office the said Commissioner shall and may conduct the whole, or any such part, of the business of issue, of the said Department of Issue, as the Governor General of India in Council may from time to time direct, and that the Bank shall and will provide the necessary accommodation

accommodation and establishment of clerks and servants for carrying out the current duties of the said office.

16. That the whole responsibility for loss or damage that may be occasioned by, or arise in respect of, the theft or loss of any Government currency notes made under the said Act XIX. of 1861, from and after the time of the said currency notes being delivered from the said Department of Issue to and at the said Bank for issue, or to any servant or agent of the said Bank for delivery to the said Bank for issue, and the whole responsibility for any loss or damage that may be occasioned in respect of the wrongful payment, exchange, or satisfaction, through mistake, or otherwise, at or by the said Bank of any Government currency notes, which ought not to be paid, exchanged or satisfied, or of any forged or spurious notes purporting to be Government currency notes, or in respect of the forgery or alteration of any Government currency notes, or in respect of any error or mistake committed by the said Bank or any of its officers or agents in conducting the agency aforesaid, although the same shall have been conducted under the control and inspection of the said Commissioner of the Issue Department at Madras, shall, as between the said Secretary of State for India in Council and the said Bank, rest solely and entirely with, and shall be borne by, the said Bank, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for and in respect of any such loss.

17. That as and by way of remuneration to the Bank for their conducting as aforesaid the said agency for the issue of the Government paper currency, and for cashing and converting such notes after issue, the Bank shall be entitled to charge the said Secretary of State in Council with a commission, calculated at the rate of three-fourths per cent. per annum on the daily average amount of Government currency notes outstanding and in circulation through the said agency of the Bank at Madras, and which commission may be debited to the said Secretary of State in Council in the said banking account between the Government of India and the Bank, the amount of such cost to be established (if required) to the satisfaction of the officer, for the time being, in charge of the said Issue Department.

18. That in case a separate office shall be provided by the said Bank for the said Commissioner of Issue at Madras, upon the requisition of the Governor of Madras in Council, under the 14th clause of these presents, the Bank shall also be paid by the said Secretary of State in Council the cost of providing such separate office, and of any special establishment that may be provided for, and any special expense incurred by the Bank in respect of the same.

19. That if, at any time during the continuance of this agreement, the said Bank shall establish a branch office at any town or place other than Madras, and the Governor General of India in Council shall offer to the directors of the said Bank for the time being, and the said directors shall, on behalf of the Bank, accept the business of bankers to the Government of India for the district or locality within which such branch shall be established, or the business of issuing and circulating the Government paper currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank shall be carried on under and subject to the provisions of this agreement, and on the basis of the clauses cited in the margin, being the 3d and 5th paragraphs of the Government memorandum of the 20th March 1861, relating to the establishment of such branch Bank, except in so far as the provision of this agreement or of the said clauses may be modified or altered by any special agreement which the said Secretary of State in Council, through the Governor General of India in Council, may from time to time enter into with the said Bank in reference to the business so to be carried on at the particular branch bank.

3. As regards the establishment of branch banks, the Government will, in each Presidency, prefer dealing with the Presidency Banks when the ground is unoccupied. But when other banks have been established, before the Presidency Bank thinks fit to establish a branch, the Government consider that they will have a preferable claim, on equal terms, and finding proper security.

5. If it be clear that the interest on the average cash balance at such place is not enough to make a fair contribution towards the expenses of the branch bank, the Government will give such fixed annual payment as may be agreed upon, in each case, not exceeding the saving of cost to the Government at such place by the Bank taking its business.

20. That this agreement and the powers and authorities herein contained, and the covenants hereby entered into, shall come into operation from and after a day to be fixed by the Governor of Madras in Council, by notification, in that behalf, which shall be published in the "Madras Government Gazette" within one calendar month from the date hereof, and continue for the term of five years from this date, at the expiration of which time the same shall and may, by notice, in writing, from the Governor of Madras in Council to the directors of the said Bank for the time being, be renewed, with or without any modifications, as may be agreed on between the Governor of Madras in Council and the said directors.

The Mint Master at Madras, or the person officiating in that capacity for the time being, shall be the Commissioner of the Department of Issue.

The Madras Circle of Issue, within which the Government notes will become a legal tender, shall embrace the districts of Madras, North and South Arcot, Salem, Coimbatore, and Tanjore.

Any persons who prefer applying at the Mint for notes in exchange for coin or bullion may apply there instead of at the office or agency at the Bank, provided they apply for not less than 2,000 rupees at a time. They will, in such case, receive the notes at the office of the Commissioner at the Bank one clear working day after their applications.

The notes will be taken and paid at all the Treasuries comprised in the Circle of Issue mentioned above.

By order,
T. Pycroft,
Chief Secretary.

(No. 25.)

FINANCIAL DEPARTMENT.

Fort William, 21 February 1862.

THE Governor General in Council approves of and confirms all the provisions of the foregoing notification.

C. Hugh Lushington,
Secretary to the Government of India.

ACT No. IV. of 1862.

PASSED by the Governor General of India in Council.

(Received the assent of the Governor General on the 28th February 1862.)

An ACT for regulating the Bank of Bengal.

Preamble.

WHEREAS the Governor General of India in Council has, pursuant to the provisions of Act VI. of 1839 (relating to the Bank of Bengal), given 12 months' due notice to the Bank of Bengal, that the provisions of the said Act, as regards the power of the bank to issue promissory notes under Section XXXI. of that Act, would be modified as hereinafter appears, and it is expedient that the provisions of the said Act and of Act XXI. of 1854 (to amend the law relating to the several Banks of Bengal, Madras, and Bombay), and of Act XXVII. of 1855 (to enable the Banks of Bengal, Madras, and Bombay to transact certain business in respect of Government securities and shares in the said banks) as regards the said Bank of Bengal should be re-enacted with certain amendments and modifications hereafter contained; it is hereby enacted as follows:—

Repeal of Act VI. of 1839, and Acts XXI. of 1854, and XXVII. of 1855, so far as they relate to the Bank of Bengal.

I. Act VI. of 1839, except in so far as it repeals any prior charter, regulation, or Act, and except as to any act or offence done or committed, or any liability incurred before this Act shall come into operation, and Acts XXI. of 1854 and XXVII. of 1855, so far as they severally relate to the Bank of Bengal, are repealed from and after the coming into operation of this Act.

Present Corporation continued.

II. From and after the coming into operation of this Act, and notwithstanding the repeal of the said Act VI. of 1839, the present and future proprietors of the capital stock of the Bank of Bengal shall continue to be a body corporate by the name of the Bank of Bengal, with perpetual succession, and shall continue to possess and enjoy all the rights, privileges, and immunities incident by law to a corporation aggregate.

Property of the Bank.

III. All property and securities for property, claims, and demands whatsoever now vested in or held by the said Bank of Bengal under and by virtue of the said Act VI. of 1839, shall from and after the coming into operation of this Act be vested and continued in the said Bank of Bengal, as and being a body corporate under and by virtue of this Act as aforesaid; and the said Bank of Bengal as such body corporate, shall be subject to all debts, demands, claims, and liabilities outstanding against the said Bank at the time of this Act so coming into operation, and no suit or proceeding at law or in equity then pending shall cease or abate in consequence of the repeal of the said Act VI. of 1839, or of the continuance of the said Bank by virtue of this Act.

Bank may sue and be sued by corporate name, and hold and transfer property.

IV. The said Bank so continued as aforesaid shall and may sue and be sued by its corporate name aforesaid, and shall and may have and use such common seal as the directors of the said Bank shall from time to time appoint, and shall be competent as such body corporate to acquire and hold, either absolutely or conditionally, for a term or in perpetuity, any description of property whatever, and to transfer and convey the same.

Capital of the Bank.

V. The existing capital of the said Bank, now consisting of 2,675 shares, of 4,000 Company's rupees each, divisible into half and quarter shares, shall continue to be the capital of the said Bank, but shall from and after the coming into operation of this Act consist of 10,700 shares of 1,000 rupees each, divisible into half and quarter shares, and such capital shall be subject to such increase as next hereinafter mentioned.

VI. It

VI. It shall be lawful for the directors of the said bank for the time being, from time to time, as and when they shall deem it expedient so to do, and on such previous notification as they may deem sufficient in that behalf, to increase the said capital, and for that purpose to make such orders and directions for the opening of subscriptions towards such increase of capital by the proprietors of the bank for the time being as to them may seem fit, and also to allow to the said proprietors such period to fill up the subscription as to them the said directors shall seem meet, and also to prescribe in what manner and form the said proprietors shall subscribe and pay into the said bank the proportions of new capital which such proprietors may respectively desire to subscribe, and also to make such orders and directions as to them the said directors may seem fit, for the disposal and allotment of the amount of new capital that may not be subscribed for and paid up by proprietors for the time being, in the manner and form so prescribed. Provided always, that the capital of the said bank, including any increase therein that may be made under Section XXXVII. of this Act, shall not in the whole exceed 30,000 shares of 1,000 rupees each. Increase of capital.

VII. It shall be lawful for any proprietor of any 1,000 rupees share or shares, or of any half or quarter share or shares in the existing capital, or in the new capital so to be created as aforesaid, at any time and from time to time to surrender such share or shares or half or quarter share or shares, or any of them, to the directors of the bank for the time being, and to demand and receive from the bank, in lieu thereof, consolidated stock to the like amount as represented by the share or shares or half or quarter share or shares so surrendered; and in like manner any proprietor or other person subscribing for any portion of the new or increased capital, under the provisions hereinbefore contained, may at his option subscribe for shares or for consolidated stock, or partly for shares and partly for stock. Consolidated stock.

VIII. The consolidated stock aforesaid shall be transferable (subject to the provisions hereinafter contained with respect to transfers) in any amount or sum not less than 250 rupees, and the holder of any share or shares or half or quarter share or shares or of any consolidated stock, shall be a proprietor of and interested in the capital of the bank to the extent of the amount of the shares or half or quarter shares or stock so held by him. Consolidated stock how transferable.

IX. A certificate signed by three directors of the said bank shall be delivered to the proprietor of any share or half or quarter shares of the capital of the said bank, upon demand made by such proprietor, and any proprietor of more than one such share or half or quarter share, may at his option demand a certificate for each or one certificate for all his shares, and a receipt shall in like manner on demand be delivered to the proprietor of any stock, and any proprietor of stock may at his option demand one receipt for the whole of the stock or separate receipts for any portions of the stock so held by him. Certificates of shares and receipts for stock.

X. The proportion of the capital of the said bank held by any proprietor, whether held as shares or as consolidated stock, shall be of the nature of personal estate of such proprietor. Shares and stock to be deemed personal estate.

XI. Shares in the capital shall be transferable by endorsement, to be made on the certificates thereof respectively, under the hand of the proprietor or his attorney duly authorised, which endorsement shall specify the name of the person or persons to whom the said transfer shall be made, and consolidated stock shall be transferable by a deed of transfer executed by the proprietor or his duly authorised attorney, and in the form set forth in Schedule A, hereto annexed. Provided always, that no endorsement of a share, certificate, or deed of transfer of stock shall be effectual to transfer any interest in the share or stock until such endorsement or deed of transfer shall have been registered at the Bank of Bengal, and such registration shall have been noted on such endorsement or deed of transfer under the hand of an officer appointed for that purpose by the directors of the said bank. Provided also, that every transfer of shares or stock by endorsement or deed of transfer as aforesaid, shall be liable to stamp duty as a transfer of shares under Clause 19 of the Schedule A to Act XXXVI. of 1860, or any future Act imposing a stamp duty on transfer of shares. Transfer of shares and stock.

XII. The registered proprietors for the time being of the shares and stock into which the capital of the said bank shall be divided, and no other persons, shall be members of the body corporate hereby continued, and the bank shall not be bound or affected by notice of any trust to which any share or stock may be subject in the hands of the registered proprietor thereof; and when any share or stock is vested in more than one registered proprietor, such proprietors shall, as between themselves and the bank, be considered as joint tenants with benefit of survivorship. The shares and stock registered in the name of the Governor General in Council shall be deemed to belong to the Secretary of State for India in Council. Corporation to consist of registered proprietors only.

XIII. The business of the said bank shall be managed by nine Directors, of whom (so long as the Government of India shall hold shares or stock in the said bank, or so long as any such arrangement or agreement with the Government as in Section XXIX. of this Act mentioned, which has been already entered into or shall hereafter be entered into, shall remain in force) three shall be appointed and removable by the Governor General of India in Council, and the remaining Directors, and in case the Government shall cease to hold shares or stock in the said bank, and no such arrangement or agreement as aforesaid shall remain in force, all the Directors shall be elected and be removeable by vote of a general meeting of the proprietors. Directors.

Present directors to be continued.

XIV. The persons who at the time of this Act coming into operation shall be directors of the said bank, shall continue to be directors of the said bank, subject to removal as aforesaid and to the provisions hereinafter contained.

Two of the elective directors to go out by rotation annually.

XV. Two of the six directors elected and to be elected by the said proprietors shall in rotation go out of office on the second Monday in the month of December in every year, on which day a general meeting of proprietors shall be held for the election of two directors in their stead. Provided always, that any directors going out by rotation as aforesaid shall not be re-eligible at the election which takes place thereupon. Provided also, that the rotation existing at the time of this Act coming into operation shall continue to be observed.

Disqualifications to serve as an elective director.

XVI. Clause 1.—No person shall be eligible or qualified to serve as a director by election of the proprietors, who shall not be a proprietor, in his own right and unincumbered, of shares or stock to the amount of 12,000 rupees at the least of the capital of the said bank, or who shall be a director, or agent, or manager of any other bank or branch bank within the town or suburbs of Calcutta, or who shall be a partner of or managing agent for, or shall hold a power of procuration from, any such director, agent, or manager.

No two partners, &c. of the same firm to serve as directors at the same time.

Clause 2.—No two persons who shall be partners of the same mercantile firm, or one of whom shall be the general agent of, or shall hold a power of procuration from, a mercantile firm of which the other is a partner, shall be eligible or qualified to serve as directors at the same time.

Vacancies among the elective directors how to be filled up.

XVII. In case of the death, resignation, or absence from Calcutta for more than three calendar months, or disqualification under the preceding Section, or removal as aforesaid of any director elected or to be elected by the said proprietors, the other directors shall, within 15 days after such death, removal, or resignation, call a special general meeting of the proprietors for the purpose of choosing a successor to the director so dead, resigned, absent, disqualified, or removed, and such successor shall come into the same place, in the rotation above mentioned, in which the deceased, removed, absent, or disqualified director was.

At general meetings, all matters to be decided by a majority of votes.

XVIII. At general meetings of the proprietors, whether ordinary or special, every election and other matter submitted to the meeting shall be decided by a majority of votes, and no person shall be allowed to vote at any such meeting in respect of any share or stock acquired by transfer, unless such transfer shall have been completed and registered six months at the least before the time of such meeting.

Scale of votes.

XIX. At all such general meetings, the proprietors shall vote according to the following scale:—

Four shares of 1,000 rupees each, or consolidated stock amounting to 4,000 rupees, shall entitle to					1 Vote.
20 shares	or consolidated stock	ditto	ditto	20,000 rupees	2 Votes.
40 „	ditto	ditto	40,000	„	3 „
60 „	ditto	ditto	60,000	„	4 „
80 „	ditto	ditto	80,000	„	5 „
120 „	ditto	ditto	120,000	„	6 „
160 „	ditto	ditto	160,000	„	7 „

And no proprietor shall be entitled to more than seven votes: provided also, that when any share or stock shall be held by joint registered proprietors, the proprietor whose name shall appear first in the register as one of the holders of such share or stock, shall alone be entitled to vote in respect thereof, and to receive notices as if he were sole proprietor thereof.

Government proxy

XX. It shall be lawful for the Governor General of India in Council (so long as the Government shall hold shares or stock in the said bank) to give a proxy in writing, signed by one of the Secretaries to Government, to any person whom the Governor General in Council may appoint to attend any general meeting of the proprietors; and the holder of such proxy shall be entitled to give seven votes upon all matters or questions that may be submitted to such meeting, excepting upon the election or removal of such directors as are elected by the said proprietors.

Proxies of proprietors.

XXI. Any proprietor entitled to vote at any general meeting may give a proxy in writing, either general or special, under his hand, or the hand of his attorney duly authorised, to any other proprietor; and such proxy shall be produced at the time of voting, and shall entitle the person to whom it is given to vote on such matters as shall be authorised by the tenor of such proxy. Proxies existing and in force at the time of this Act coming into operation shall continue in force, anything herein contained notwithstanding.

Directors to choose a president, who is to have a casting vote.

XXII. At the first meeting of the directors in every year, they shall choose a president from among themselves, and whenever the office of president shall become vacant they shall, at their next meeting, choose a successor for the remainder of the current year, and during any vacancy, or in the absence of the president, the senior director in rotation shall be vice-president for the time, and such president or vice-president shall have the casting-vote in all cases of an equal division of votes, at meetings either of directors or proprietors.

XXIII. The

XXIII. The persons for the time being holding the office of secretary and treasurer, or of secretary alone, or of deputy-secretary of the said bank, are hereby severally empowered for and on behalf of the bank to endorse and transfer Government securities, railway shares, certificates, and bonded-warehouse warrants, and other documents of title in goods standing in the name of the bank, and to draw, accept, and endorse bills of exchange, bank post-bills, and letters of credit, in the current and authorised business of the bank, and to sign all other accounts, receipts, and documents connected with such business.

Accounts, receipts, and documents of the Bank, by whom to be signed.

XXIV. The seal of the said bank shall not be affixed to any instrument except in the presence of three directors, who shall sign their names to the instrument in token of their presence, and such signing shall be independent of the signing of any person who may sign the instrument as a witness, and unless so signed by three directors such instrument shall be of no validity.

Seal to be used only in presence of three directors, who shall sign in token of their presence.

XXV. The directors for the time being shall have power to appoint such officers, clerks, and servants as may be necessary to conduct the business of the said bank, and to remove any officer, clerk, or servant of the said bank, and to fix the salaries of such officers, clerks, and servants.

Appointment, removal, and remuneration of officers, &c.

XXVI. No person who shall hold the office of secretary and treasurer, deputy secretary, head-accountant, or khazanchee of the said bank shall, directly or indirectly, engage in any other commercial business, either on his own account individually or jointly with others, or as agent for any other persons, or act as a broker; and every person appointed to any one or more of the said offices shall give such security to the directors for the faithful discharge of his duty as they shall think sufficient. Provided that the security to be given by any secretary or treasurer shall be for not less than 50,000 rupees.

Prohibits certain officers from engaging in other commercial business as principal, agent, or broker, and requires them to give security.

XXVII. The business of the said Bank of Bengal shall consist in lending on Government securities and shares in railways the interest whereon shall have been guaranteed by Government, and on goods, wares, and merchandize not of a perishable kind; in drawing, discounting, buying, and selling bills of exchange and other negotiable securities payable in Her Majesty's Indian territories, and not elsewhere; in granting post-bills payable in Her Majesty's Indian territories to order or otherwise than to bearer on demand; in buying and selling gold and silver bullion; in making investments in securities of the Government of India, or in loans or bonds secured by the Imperial Parliament on the revenues of India, or in debentures of railways guaranteed by the Government of India; in receiving deposits; in opening cash accounts and credits; in transacting pecuniary agency business on commission; and in selling property or securities deposited in the bank as security for loans and not redeemed, or property or securities recovered by the bank in satisfaction of debts and claims.

Business of the Bank specified.

XXVIII. In addition to drawing, buying, and selling bills of exchange, and granting post-bills payable in India, it shall be lawful for the bank to draw bills of exchange and grant letters of credit payable out of India for the use of their constituents in the agency department, and to buy bills of exchange payable out of India for the purpose of emitting funds to meet such bills or letters of credit.

Bank may draw bills of exchange, &c., for the use of their constituents in the agency department.

XXIX. It shall also be lawful for the said bank, through their directors, under any arrangement or agreement with the Governor General of India in Council on behalf of the Secretary of State for India in Council, to take over and transact any part of the business of or hitherto carried on at the General Treasury (or in the Department of the Accountant General at Fort William), and to superintend, manage, and become agents for the issue, payment, and exchange of Government currency notes under Act XIX. of 1861 (to provide for a Government paper currency), or any Act which may hereafter be passed in relation to the paper currency of the Government of India, and to pay the amount of such Government currency notes in silver to the holders thereof on presentation and demand; and the directors of the said bank shall have power from time to time to arrange and settle with the Governor General in Council as to the terms of remuneration on which such business in relation to the General Treasury, Accountant General's Department, and Government Paper Currency shall be undertaken by the bank, and also as to the examination and audit from time to time of the accounts and affairs of the bank on behalf of the Governor General of India in Council.

Bank may transact the business carried on at the General Treasury, and undertake the management of the Government paper currency.

XXX. The directors of the said bank shall not make any loan or advance on shares or consolidated stock of the said bank, nor on mortgage, or in any other manner on the security of any lands, houses, or immovable property, or the title-deeds relating thereto.

Directors not to make loans on shares, &c.

XXXI. The directors of the said bank shall cause the books of the said bank to be balanced on the 30th day of June and the 31st day of December in every year, or at such other periods as shall from time to time be determined by the directors, and a settlement of the balance at every such period signed by a majority of the directors shall be forthwith transmitted to one of the Secretaries to the Government of India; and the Governor General of India in Council (so long as the Government shall hold shares or stock in the said bank, or so long as any such arrangement with the Government as aforesaid, which has already been, or shall hereafter be, entered into shall remain in force), shall at all times be entitled to require of the said directors any information touching the affairs of the bank, and the production of any documents of the said bank, and the said directors shall comply with every such requisition.

Books to be balanced half-yearly.

Dividends to be determined half-yearly.

XXXII. An account of the profits of the said bank shall be taken half-yearly on the 1st day of January and the 1st day of July in every year, or at such other periods as may from time to time be determined on by the directors, and a dividend thereof shall be made as soon thereafter as conveniently may be, and the amount of such dividend shall be determined by the directors of the said bank, on the basis of the actual profits made by the said bank during the six calendar months preceding the day up to which such half-yearly account shall be taken: provided that the said directors shall in their discretion have power to set apart such portion of the said profits as they may deem expedient to be added to the reserve fund against contingencies.

General meeting of proprietors.

XXXIII. On the 1st Monday of the month of August in every year, a general meeting of the proprietors of the capital of the said bank shall be held, at which the directors of the said bank shall submit to the said proprietors a statement of affairs of the said bank made up to the preceding 30th of June, or to such other day as may be determined on by the directors.

Election of auditors.

XXXIV. At the first general meeting of the proprietors of the bank held after the coming of this Act into operation, one or more auditors for the current year may be elected by a majority of votes at such meeting, and in like manner an auditor may be elected at the first general meeting of the proprietors in each current year.

Convening of special general meeting.

XXXV. Any three of the directors, or any 10 proprietors of the said bank may at any time convene a special general meeting of the proprietors upon giving 15 days' previous notice of such meeting, and of the purpose for which the same shall be convened, as well to the directors of the said bank for the time being, as also by public advertisement in the "Calcutta Gazette."

Establishment of branch banks.

XXXVI. It shall be lawful for the directors of the said bank, with the sanction of the Governor General of India in Council, from time to time to form business agencies and to establish branch banks at such places as they may deem advantageous to the interests of the bank, with full power to the said directors to appoint during pleasure such agents, clerks, and servants, and either with or without local boards of directors or management, and under such regulations, restrictions, and conditions as to them may seem fit, and from time to time to vary such regulations, restrictions, and conditions, and the said agents and other officers shall give such security for their good behaviour as the directors may require; and it shall also be lawful for the directors from time to time, under any arrangements or agreements with the Governor General in Council on behalf of the Secretary of State in Council, to provide for the conduct and transaction by any such branch bank or banks of any part of the business of, or hitherto conducted at, the local Government Treasuries, and for the superintendence, management, and agency of the local issue, payment, and exchange of any Government currency notes; provided that such arrangements and all regulations and directions given by the said directors to the agents or managers of such branch banks touching the management thereof, or the description of business to be undertaken thereby, shall not contain anything inconsistent with or contrary to the provisions of this Act, or of any bye-laws, regulations, or orders which may be in force for the time being under the 40th Section of this Act.

Bank may take over capital and business of any other bank, and for that purpose increase its own capital.

XXXVII. It shall be lawful for the directors of the said bank, from time to time, to enter into negotiations for, and to purchase and take over, the capital, assets, and business of any other bank within Her Majesty's Indian territories of which the capital is divided into shares, and to grant and allot to the shareholders or proprietors in such bank, in full of their respective right, title, and interest in such capital, assets, and business, a sufficient number of shares in the capital stock of the said Bank of Bengal (which number shall be determined by the directors), and for that purpose to increase the capital stock of the said bank by the issue of such number of shares as may be so determined on. The shareholders or proprietors of the purchased bank to whom such new shares shall be allotted shall be proprietors of the Bank of Bengal, and be in all respects in the same position as if they had respectively subscribed and paid for the shares so allowed to them. Provided always, that the business so purchased shall after the purchase be carried on by the said Bank of Bengal with, and subject to, the several restrictions contained in this Act.

If any proprietor becomes indebted to the bank.

XXXVIII. If any of the said proprietors shall become indebted to the said bank, it shall be lawful for the said bank to withhold payment of the dividends on the share or shares or consolidated stock of such proprietor registered as his own property, and not as held in trust or as executor or administrator, until payment of such debt, and to apply such dividends towards payment thereof, and after demand and default of payment, and notice in that behalf given either to such proprietor or his constituted agent, or by public advertisement in the "Calcutta Gazette," it shall be lawful for the said bank to refuse registration of the transfer of any such share or shares or stock of such proprietor, until payment of such debt; and if the same shall remain unpaid for the space of six calendar months after such notice, to advertise for public sale, and to sell, such share or shares or stock, or so many or so much as may be necessary, and to apply the proceeds thereof towards payment of such debt, with interest at the rate of six per cent. per annum, paying over the surplus, if any, to such proprietor or to his lawful representative.

Recognition of legal representatives of

XXXIX. Where by the death of any proprietor his share or shares or stock shall devolve on his legal representative, the bank shall not be bound to recognise any legal representative

representatives of such deceased proprietor other than a person who has taken out probate to the will or letters of administration to the estate of such deceased proprietor from the Supreme Court of Judicature at Fort William, or who has obtained a certificate in respect of the estate of such deceased proprietor under Act XXVII. of 1860 (for facilitating the collection of debts on successions, and for the security of parties paying debts to the representatives of deceased persons), describing such shares or stock, from a court of competent jurisdiction within the Presidency of Fort William. deceased proprietors.

XL. It shall be lawful for the directors for the time being of the said bank to make and pass bye-laws, regulations, and orders for the good government, and in reference to the mode of conducting the business of the bank, and such regulations and orders from time to time to modify, rescind, and vary; and it shall further be lawful for the proprietors of the said bank at any general meeting, whether ordinary or special, to pass resolutions and frame and from time to time rescind and vary bye-laws and rules for the direction of the affairs of the bank, and the same shall be binding on the directors and officers and on the proprietors of the bank, until rescinded or varied at any subsequent general meeting; provided always, that no bye-law, regulation, or order, or alteration or rescission of any bye-law, regulation, or order, whether passed by the directors or by the proprietors at a general meeting, shall be of any validity except in so far as the same shall be consistent with the provisions of this Act, and shall be approved by the Governor General of India in Council, such approval to be signified in writing under the hand of one of the secretaries to the Government of India. Power of director to make, alter, and rescind bye-laws, &c.

XLI. In the construction of this Act, words in the singular number shall include the plural, words in the plural shall include the singular, and words in the masculine gender shall include the feminine, except where the contrary appears by the context. Construction.

XLII. This Act shall come into operation on the 1st March 1862. Commencement of Act.

ACT No. V. of 1862.

Passed by the Governor General of India in Council.

(Received the assent of the Governor General on the 28th February 1862).

An Act to provide for the Payment at the Banks of Bengal, Madras, and Bombay, respectively, of Moneys payable at the General Treasuries of Calcutta, Madras, and Bombay.

Whereas, under the provisions of Act XXIV. of 1861 (to enable the Banks of Bengal, Madras, and Bombay to enter into arrangements with the Government for managing the issue, payment, and exchange of Government currency notes, and certain business hitherto transacted by the Government Treasuries), the Bank of Bengal has entered into an agreement with the Secretary of State for India in Council, through the Governor General of India in Council, that so much of the business hitherto generally transacted at the General Treasury of the Government at the Presidency of Fort William, as consists in receiving and paying money on behalf of the Supreme Government and the Government of Bengal, shall be carried on and transacted by the said bank, subject to the provisions of the said agreement, and to such orders and directions with regard to receipts and payments as may from time to time be given to the said bank by the Governor General in Council, or any of the officers of the Government of India authorised in that behalf. Preamble.

And whereas the Governor General in Council has given notice in the "Calcutta Gazette" that the Treasury of the Secretary of State for India in Council and of Her Majesty's Indian Government at Calcutta shall, from and after the 1st day of March 1862, be established at the Bank of Bengal.

And whereas the Bank of Madras and the Bank of Bombay are in treaty with the Governor in Council of Madras and the Governor in Council of Bombay, respectively, for the purpose of entering into similar agreements, and it is probable that such agreements will be shortly executed, and that similar notice to that hereinbefore mentioned will be given by the Governors in Council of Madras and Bombay in regard to the Banks of Madras and Bombay.

And whereas divers promissory notes and negotiable securities and other obligations for the payment of money made by or on behalf of the Secretary of State for India in Council or by the Governor General of India in Council, the Governor of Madras in Council, and the Governor of Bombay in Council respectively, on behalf of the East India Company and of the Secretary of State for India in Council, are made payable at the General Treasury of Fort William in Bengal, the General Treasury at Madras, and the General Treasury at Bombay respectively.

And whereas divers other securities and other obligations are made payable to the Secretary of State for India in Council, or to the said Governor General in Council, or to the Governors in Council of Madras or of Bombay, at the said General Treasuries of Fort William in Bengal, Fort St. George, and Bombay respectively:

It is therefore enacted as follows:—

I. On and after the 1st day of March 1862, and until the expiration of 14 days after notice shall be given in the "Calcutta Gazette" by the Governor General of India in Council, On and after 1st March 1862, all sums payable by or

to Government to be payable at the Bank of Bengal instead of at the General Treasury at Calcutta.

Council, that the Treasury of the Government will be no longer held at the Bank of Bengal, all sums payable by or to the Secretary of State for India in Council, or by or to the Governor General of India in Council, or the Government of Bengal on behalf of the Secretary of State for India in Council, at the General Treasury of Fort William, in Bengal, shall be payable by or to the Secretary of State in Council, or by or to the Governor General of India in Council, or the Government of Bengal respectively, on behalf of the Secretary of State in Council, at the Bank of Bengal, instead of at the General Treasury at Calcutta.

Presentment of promissory notes, &c., at the Bank of Bengal.

II. Whenever presentment of any promissory note, security, or obligation for payment, or for any other purpose at the General Treasury of Fort William, in Bengal, would, before the said 1st day of March 1862, have been necessary or sufficient presentment for such purpose at the Bank of Bengal, shall be necessary or sufficient as the case may be, on and after the said 1st day of March 1862, and until the expiration of 14 days after such notice as in the 1st Section mentioned shall have been given.

Payment at the Banks of Madras and Bombay of sums payable by or to Government at the General Treasuries at Madras and Bombay.

III. If the Governors in Council of Madras and of Bombay respectively shall give notice in the Government Gazettes of their Presidencies respectively, that the Banks of Madras and Bombay respectively have entered into agreements or arrangements with the Secretary of State for India in Council through the said Governors in Council, for the purposes mentioned in the preamble of this Act, under the provisions of the said Act XXIV. of 1861, and that from and after a date to be specified in such notice, the Treasury of the Secretary of State for India in Council, and of Her Majesty's Indian Government at Madras and Bombay respectively, shall be established at the Banks of Madras and Bombay respectively, all sums payable by or to the Secretary of State for India in Council, or by or to the Governor of Madras in Council or the Governor of Bombay in Council on behalf of the Secretary of State for India in Council, at the General Treasury at Madras, or at the General Treasury at Bombay respectively, shall from and after the date specified in such notice, and until the expiration of 14 days after notice shall have been given by the said Governors in Council respectively, that the Treasury of the Government will be no longer held at those banks respectively, be payable by or to the Secretary of State in Council, or by or to the Governor of Madras in Council, or by or to the Governor of Bombay in Council, on behalf of the Secretary of State in Council, at the Bank of Madras or the Bank of Bombay respectively, instead of at the General Treasury at Madras, or the General Treasury at Bombay.

Presentment of promissory notes, &c., at the Banks of Madras and Bombay.

IV. In such case, whenever presentment of any promissory note, security, or obligation for payment or for any other purpose, at the General Treasuries at Madras or Bombay respectively, would have been necessary or sufficient, if such notice had not been given and this Act had not been passed, presentment for such purpose, at the Banks of Madras and Bombay respectively, shall be necessary or sufficient, as the case may be, on and after the date specified in such notice by the Governors in Council of Madras and Bombay respectively, and until the expiration of 14 days after such notice as aforesaid, that the said Treasury will be no longer held at those banks respectively shall have been given.

Proviso as to presentment at the several Banks.

V. Nothing in this Act shall render necessary the presentment at the Banks of Bengal, Madras, and Bombay respectively of any security or other obligation which it would not have been necessary to present at the General Treasuries of Bengal, Madras, and Bombay respectively, if this Act had not been passed.

ACT No. VI. OF 1862.

Passed by the Governor General of India in Council.

(Received the assent of the Governor General on the 12th March 1862).

AN ACT to annex a Schedule to Act IV. of 1862 (for regulating the Bank of Bengal.)

Preamble.

WHEREAS the Schedule referred to in Section XI. of Act IV of 1862 (for regulating the Bank of Bengal) as Schedule A. thereto annexed, has not been annexed thereto; and it is expedient to annex such Schedule to the said Act; it is enacted as follows:—

Schedule A. of Act IV. of 1862.

The Schedule hereto annexed, and marked A., shall be deemed and taken to be the Schedule referred to in Section XI. of the said Act IV. of 1862 as Schedule A. thereto annexed, and to be annexed to, and to form part of the said Act.

SCHEDULE A.

I, A. B. of , do hereby transfer to C. D. of , consolidated stock of the Bank of Bengal to the amount of rupees standing in my name, to hold unto the said C. D., his executors, administrators, representatives, or assigns, subject to the conditions on which I hold the same at the time of the execution hereof.

Dated the day of .

Financial Department.—No. 6 of 1862.

To Her Majesty's Principal Secretary of State for India in Council, London.

Right Honourable Sir,

We have the honour to submit, for your information, copy of the proposed Charter* Act of the Bank of Bombay, and of a letter from the Secretary to the Government of India No. 2525, dated the 5th ultimo, on the subject.

2. With reference to the instructions of the Government of India, we intend, at the next Sessions of our Legislative Council on the 15th July, to proceed to legislate on the subject. We have, therefore, the honour to request that, in case you desire any modification in any of the provisions of the Draft Act beyond those indicated in the letter from the Government of India, you will be so good as to communicate to us your views at an early date.

* Subsequently forwarded as modified with Letter, dated 13 April 1863, No. 8. *Vide* page 69.

We have, &c.

Bombay Castle,
12 May 1862.

H. E. B. Frere.
W. E. Frere.
J. D. Inverarity.

Financial Department.—No. 2525.

From the Honourable *E. Drummond,* Officiating Secretary to the Government of India (Financial Department), to *A. D. Robertson,* Esq., Acting Chief Secretary to the Government of Bombay.

Fort William, Council Chamber,
5 April 1862.

Sir,

Your letter No. 416, of the 19th ultimo, with its enclosed copy of the proposed Charter Act of the Bank of Bombay, having been laid before His Excellency the Governor General in Council, I am directed to inform you, in reply, that it was intended that the Act should be passed by the Bombay Council after approval of the draft by this Government. That approval I am now directed to convey to you, subject to the following observations.

2. There appears to be no objection to the provision made in Section VI. to vest the power of increasing the capital in the Proprietors, instead of in the Directors.

3. The declaration contained in Section V. of limited liability does not appear to be necessary. This point was duly considered in preparing the Draft Act for the Bank of Bengal, and no such limitation was then thought necessary.

4. Section XLIV. of the Draft Act may be omitted, as its objects have already been specially provided for in Act IX. of 1862.

5. His Excellency in Council observes that no provision has been made for electing Auditors, as was done in Section 34 of the Act for regulating the Bank of Bengal.

6. Your attention is also requested to Section 37 of the Act for the Bank of Bengal, empowering it to take over the capital and business of any other Bank; but I am to mention, at the same time, that it is entirely for the Bombay Government to judge whether it would be convenient to adopt that Section.

I have, &c.
E. Drummond,
Officiating Secretary to the Government of India.

Financial Department.—No. 71 of 1862.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Secretary of State for India.

Sir,

We enclose two minutes by Mr. Laing—one written before the receipt of your letter of the 8th ultimo, No. 55, the other immediately afterwards—which explain fully the policy and proceedings of the Administration of the late Viceroy, Lord Canning, with regard to Banking and Currency.

2. It appears evident that the arrangements entered into with the Bank of Bengal have been misconceived, and that, when their real nature is understood, they will be found consistent with the instructions of your letter of the 2d May 1861, and highly conducive to the public interest.

3. Upon one point we desire to express a very decided opinion—viz., that it would have been impolitic to multiply separate Circles of Issue, and that in any scheme for an Imperial Currency for India, it is of vital importance to insure uniformity in the note circulation of each Presidency, which can only be effected by creating three circles only, with Calcutta, Madras, and Bombay as centres and sole places of Government issue, which arrangements with banks, and for receiving notes at Government treasuries on payment of revenue, give the public practically the means of exchanging their notes for coin at other places.

4. These arrangements have been already concluded with the Banks of Bengal, Madras, and Bombay—in the former case for a circle embracing branch banks at Dacca, Patna, Mirzapore, and Benares, and including most of Bengal and part of the North-West Provinces; and we were on the eve of extending it, as stated in Mr. Laing's first minute, throughout the North-West, Punjab, Oude, and the Central Provinces.

5. We have suspended the latter agreements in conformity with your instructions, but we hope that, when those explanations are received, the restriction may be withdrawn, and we may be permitted to proceed with them.

6. You will distinctly observe, that in no case is it proposed to make a Bank the Commissioner for Issue; and that at the only place of issue, the Mint master acts as Government Commissioner, independently of the Bank and in no way connected with it, as regards the issue of notes, except in having for the convenience of the public one of his offices under the same roof.

7. Even this might be withdrawn if you desire it, and the issue of notes by the Commissioner, to parties who apply for it, made at the Mint; but as this would require a somewhat longer notice to be given, and would be very distasteful to the commercial community, it hardly seems worth while to insist on it for the merely nominal object of being able to say that the Currency Commissioner has not only its headquarters but all its offices at the Mint.

8. As regards the treasury deposits, the convenience to the Government of employing bank agency is great; and your letter appears to contemplate the possible extension of such arrangements with the Bank of Bengal. The only reason why in two cases—viz., Agra and Lucknow—arrangements with another bank were proposed, was that, other banks having been established, with great benefit to the public, for several years in some of the cities of the North-West, it was hardly thought fair to introduce branches of the Bank of Bengal to compete with them, without giving them an opportunity of tendering.

9. In two instances the Bank of Agra tendered at a slightly lower figure than the Bank of Bengal, and it was consequently our intention to accept their tenders, but upon this point we await your instructions.

10. You will observe, however, that the whole amount of the cash balances which the Government stipulates to keep as a deposit with the Banks for doing its business at the seven important cities of Allahabad, Delhi, Lahore, Jubbulpore, Nagpore, Agra, and Lucknow, is in the aggregate only 137,500*l.*, and that for this comparatively trifling amount, the convenience of banking arrangements for

for Government transactions, and the advantages of an uniform paper currency, only await your sanction to be extended over provinces comprising a population of more than 50,000,000.

11. As regards the Currency arrangements generally, it only remains to observe, in reply to your inquiry what amount of the reserve it is proposed to invest in securities, that we concur with Mr. Laing in thinking that it is better to keep greatly on the safe side, and not for the present to invest more than 500,000 *l.*, out of the 4,000,000 *l.* which is permitted by the Act.

We have, &c.

Elgin & Kincardine.
R. Napier.
S. Laing.
H. B. Harington.
W. Grey.

Fort William, 21 May 1862.

Enclosures to No. 71 of 1862.

MINUTE on CURRENCY and BANKING, by the Honourable *Samuel Laing*, dated 7 May 1862.

IN case any question should arise, when I am not here to refer to, as to the arrangements respecting Banking and Currency, I think it desirable to record a minute showing what has been the policy of the Government of India since I have been a member of it.

A very large scheme of Paper Currency for India was proposed by the late Mr. Wilson. It was based on peculiar ideas respecting the currency, which he had long held and ably advocated in "The Economist," in common with a small but distinguished school of political economists, against the views of the great majority of writers and practical men, forming what may be called the orthodox school of Lord Overstone and Sir Robert Peel. Mr. Wilson held that the convertibility of banknotes into the specie they represent may be secured by a provision that whoever issues them shall retain a fair banking reserve, such as one-third in cash; and that every paper note so issued becomes a source of wealth by releasing specie locked up as coin, and converting it into capital. Accordingly, seeing that India has probably a metallic circulation of 90,000,000 *l.* or 100,000,000 *l.* in rupees, he considered that if notes could be substituted to the extent of 45,000,000 *l.* or 50,000,000 *l.* against a cash reserve of one-third of the amount of issue, in the first place, the State would gain the interest on the two-thirds invested in securities, or say 5 per cent. on 30,000,000 *l.*; and, in the second place, the effect on the community at large would be, as he expressed it, as if a silver mine producing 30,000,000 *l.* had been discovered in the Maidan.

With these views, which will be found clearly explained in his speech on the Currency Bill, his whole machinery was directed towards the main object of getting a large amount of paper rapidly into circulation. Notes were to be issued by the State, and made a legal tender down to 5 rupees or 10 *s.*; India was to be divided into a large number, probably not less than 30 or 40 separate circles; and in each circle a Government Commission was to be established for the express object of issuing notes.

No doubt by this system, and by a free exercise of the influence and authority of the Government, a large paper circulation could have been forced out.

I was entirely opposed, however, to the whole scheme.

I thought, and here the Secretary of State fully agreed with me, that however specious may be the proposal to make a large profit by coining the credit of the State into money and investing part of the reserve, a Government cannot undertake this, which is the legitimate business of a private banker, without immense risk both of loss on its investments, and of not being able to maintain the convertibility of its notes in times of difficulty.

I believe that, although a community may in prosperous times economize capital by using paper instead of money, the loss, from the reactions and discredit certain to ensue from an immoderate use of paper, make the cost of a metallic currency the cheapest of insurances.

The first condition, therefore, of a sound paper currency is, that it shall represent coin—not credit, and be issued not with a view to profit, but to the convenience of representing the larger denominations of actual gold or silver money in a more portable form. The rule only admits of this exception, that a small fixed proportion of the specie against which paper is issued may be invested in securities, when it is quite clear that the note circulation can never fall so low in practice as even to approach the limit so fixed.

Another point on which Lord Canning and the other members of the Government thoroughly agreed with me was, that the circumstances of India rendered it peculiarly undesirable to try any novel and hazardous experiments with regard to currency, and above

all to do anything which might be construed by the native population as an attempt to force Government paper into circulation.

Accordingly the Act was altered into its present form, after discussions in the Legislative Council, in which the above principles will be found more fully developed, and sent home to the Secretary of State for approval.

In giving his sanction to the Bill, the Secretary of State expressed an opinion that the lowest limit of the note should be 5 instead of 10 rupees, and a clause to this effect was proposed by Sir Bartle Frere (I being absent at the time in England); but the feeling of a large majority of the Legislative Council was so strongly against any attempt to substitute paper for silver in the smaller transactions of daily business among the native population, that the clause was rejected. I entirely concur myself in the policy of not issuing notes under present circumstances below 10 rupees.

The principle of the Bill being thus fundamentally altered from that originally proposed by Mr. Wilson, a corresponding change in the machinery for working it became necessary. The division of the Empire into a large number of separate circles, each with a distinct currency, was an arrangement so obviously objectionable in a commercial point of view and for public convenience, that it could only be justified by the hope of some very large advantage to the State from an extended paper circulation. If, in the then apparently desperate state of Indian finance, a revenue of 1,000,000 *l.* a year could have been derived from a State Paper Currency, this possibly might have justified the circle arrangement; though, even then, I considered it would have been bad policy to sacrifice the future to the present, to the extent of entailing on India an inconvenient currency for the sake of a little temporary relief. The inducement, however, being gone, no doubt could remain on the subject. No one acquainted with India can doubt that the chief advantage looked for from a paper currency would be lost if it were not uniform. If a traveller starting from Calcutta for Peshawur had five or six times in the course of his journey to go to a banker or money-dealer and get his notes changed, probably at a discount, for notes of a new circle, it is almost certain that he would prefer taking with him, as at present, a bag of rupees. In India distances are great; communications imperfect; the native population generally ignorant and suspicious with regard to monetary matters; and moneychangers accustomed to exorbitant rates and anxious to retain their business. To divide India, therefore, into some 40 or 50 different currency circles, would have been to create a state of things like that which before the general introduction of gold existed in Germany, where the original thaler or florin of the unhappy traveller soon dwindled down to half its amount in exchanges at the frontiers of a succession of petty States.

Accordingly, the Government of India kept steadily in view, as the main end to be attained, the uniformity of the currency in each of the three Presidencies.

For this purpose it was obviously necessary to employ banking agency. If the State undertook the sole business of the Currency without intermediate agency, it was placed in this alternative—it could scarcely make its notes a legal tender at Delhi or Lahore without any provision for cashing them nearer than Calcutta. On the other hand, if it undertook to cash the Government notes at places like Lahore, as the Government could not risk committing an act of bankruptcy, it must either abandon the uniform issue, or make provision at 30 or 40 different local centres for every note that might by possibility be presented, including the whole Calcutta issue.

This, in fact, was the consideration which had driven Mr. Wilson to adopt the system of circles.

The only escape from it is to have one circle of issue only in the Presidency, and one place, viz. Calcutta, where coin can be demanded from Government for notes as a matter of legal right, but to make arrangements with banks by which the means of cashing notes are practically provided for every man within a convenient distance.

Banks, being accustomed to commercial transactions, can without difficulty apportion their cash reserves at different points to the practical demand, and make arrangements in case of difficulty in a way that no Government can do. In the extreme case also of a bank being obliged to postpone for a day or two, until it can receive a remittance from Calcutta, the accommodation of cashing notes which is afforded to the public as a matter of convenience and not of legal right, the consequences are far less serious than if the Government had failed in fulfilling a legal obligation.

With banks, therefore, accessible who undertake to cash Government notes under all ordinary circumstances; with the surplus local treasury balances available, in case of need, to support the banks in fulfilling this obligation until cash for the notes can be forwarded from Calcutta; and with every treasury open to receive notes at par in payment of revenue, there can be no objection to extending the Calcutta circle of issue over the whole of the Presidency.

In proposing to employ the agency of Banks for the Currency, it happened that separate negotiations were at the same time going on for employing banks to do the ordinary treasury business. The immense convenience and economy of such arrangements are too obvious to require comment, and it is enough to advert to the fact that it has been stated that no less than 30,000 sepoys have been at times employed in treasure guards and escorts, to show what a large saving to the State, and convenience to the public in despatch of business, must accrue.

Having arrived at these conclusions, if I had consulted my own views only, I should have appointed the Bank of Bengal sole agent of the Government in the Bengal Presidency

sidency both for Treasury business and Currency, and put it in effect on the same footing as the Bank of England.

The Bank of Bengal being the oldest and largest bank, and already a *quasi* Government institution—the State holding shares and appointing directors, and having given it by charter the privilege of issuing the existing paper currency, which was about to be taken away—its claims were clearly superior to those of any other bank as regards this Presidency; and the Banks of Bombay and Madras occupied a similar position in the other Presidencies.

I am convinced that a connexion with a State Bank, like that which exists between the Government and the Bank of England, is a great mutual advantage. The convenience to the State in ordinary times is obvious, and history shows what an important resource a bank may be to the Government in times of difficulty. The advantages to commerce, though less obvious, are not less real. It may be true that the directors of the Bank of England have committed errors before the working of the foreign exchanges was so well understood, and closet theorists may argue that a State should hold itself entirely aloof from any connexion with banks and commerce. But practical men come to very different conclusions. They know that while a State depends for its revenue on the prosperity of commerce, and while by the magnitude of its receipts, payments, and deposits, it of necessity affects monetary transactions, it is mere purism to say that it will hold itself entirely aloof from them. Practically, a nation whose commerce is largely developed must employ credit largely, and this credit is based upon reserves. Is it better that the great central reserve should be in a bank, like the Bank of England, with resources greater than any private establishment, and bound by its traditions and its connexion with the Government to avoid speculation, and to confine itself to safe and legitimate business; or that there should be no central reserve, and nothing between the country and a panic but the separate reserves of private bankers and bill-brokers, who act without any concert, and with every inducement in quiet times to run their reserves low, and make the most of their credit?

This is a question which history also answers: and no one who has compared the commercial experience of France or England for the last 20 years with that of the United States since President Jackson, from political motives, severed the connexion of the Government with the United States Bank, will hesitate to say that a State Bank is a great protection against both the frequency, the intensity, and the duration of commercial panics. With these views I should, without hesitation, have recommended the Government to place the Banks of Bengal, Bombay, and Madras avowedly on the footing of State Banks, but I refrained from doing so, because I was aware that the Secretary of State held different opinions. In his instructions, conveyed by Despatch No. 75 of 1861 (which was received and acted upon by Lord Canning after I had left India in June), while sanctioning the general arrangements, and not objecting to the clauses which had been introduced in the Currency Act expressly to enable the Government to employ Bank agency, he lays great stress on maintaining a separate Government Commission, and issuing notes for bullion to any of the public who may desire it independently of the Bank.

Under any circumstances, the Currency would have been entirely independent of the Bank, who would have simply been the agents of the Government for supplying the public with notes for silver, or silver for notes, without any power of either creating or withdrawing from circulation a single rupee which would not have been there at any rate with a purely metallic currency. But, to meet the Secretary of State's views, Lord Canning decided that the Bank should not be sole agent, and that it should be open to any one who chose to apply directly to the Chief Currency Commissioner to obtain notes for silver, or *vice versa*.

Foreseeing however, as has been the case, that this power would be scarcely used, and that, for practical convenience, the public would all prefer the Bank agency, the Government made arrangements accordingly, and provided a separate and independent office for the Currency Commissioner under the same roof as the Bank.

There were thus two arrangements to make with the Bank, one for Treasury business and one for Currency; and under the circumstances the Government felt precluded from making one general agreement for both with the Bank of Bengal as a State Bank, which would have placed them in the best position for obtaining favourable terms. Under these circumstances, the agreements with the Bank were made a good deal as a matter of compromise as to terms, and open to revision after five years, on the joint consideration of what the Bank would lose by the withdrawal of its circulation, and what the Government would save by the work done for it by the Bank. The Bank having been chartered by the Government, and in effect called into existence by it as the sole Bank of Issue for Bengal, and the Government holding shares, and being closely connected with it in public opinion, it was felt that it would neither be morally right nor politically expedient to avail ourselves of the letter of the law, by withdrawing the note circulation of the Bank without a fair equivalent. The Bank had a note circulation of 1,500,000 *l.*, and on the average held about one-third of this amount in specie reserve, so that they enjoyed the free use of a capital of 1,000,000 *l.* It was found that by the transfer of the Treasury business we should save an establishment of clerks costing the Government 8,745 *l.* a year, and that the balance in our Central Treasury had, for a series of years, never gone below 700,000 *l.* We agreed to give them about half the saving in clerks, or 4,360 *l.* a year, and to guarantee them a minimum Government balance of 500,000 *l.*; *i. e.*, we were to be at perfect liberty to draw

our balance as low as we liked, but if we went below 500,000 *l.*, we were to pay interest on the amount overdrawn. Practically, the balance could never be allowed to fall so low, so that this stipulation cost the Government nothing, and the average balance will always be much higher. Up to 700,000 *l.* we allow the Bank to use this as an ordinary customer's balance. Beyond 700,000 *l.* the Government balance is not mixed up with the general assets of the Bank, but set apart, either in cash or in Goverement securities held at the risk of the Bank, and assigned by way of special security by the Bank to the Government.

Practically, also, the Government lose nothing by letting the Bank use any excess of balance beyond the 500,000 *l.* (though it is entirely optional with them to do so); for no safe means of temporary investment exist by which the Government could make interest on its unemployed balances, however large, without parting with the full command of the money, which it is essential to retain.

As regards the Government, therefore, the Treasury arrangement really costs 4,360 *l.* a year, against which there is a direct saving of an equal amount; while as regards the Bank, it gets 4,360 *l.* a year, and the use of 700,000 *l.* of capital, as a compensation for the additional establishment and cost of doing the Government work, and for the withdrawal of 1,000,000 *l.* of capital by the loss of its note circulation.

Under the Currency arrangement, the Bank receives a commission of $\frac{3}{4}$ per cent. on the average note circulation through their agency, which may be taken for the present at about 2,000,000 *l.*

For this commission the Bank undertake the whole of what may be called the retail work of issuing and cashing notes across the counter and for small amounts; the whole correspondence as to notes lost or stopped payment; the whole risk of loss from forgeries, &c.; and, what is the most important of all, they undertake to establish branches wherever desired by the Government, and to provide at them, at their own risk and cost, the means of cashing all Government notes which may be presented in the ordinary course of business.

Independently of the immense advantage, which has been referred to, of ensuring by these means an uniform currency, it is clear that the Government could not have established Commissions of Issue of its own for anything like the sum which it pays the Bank. In the Presidency towns a large building must have been built or hired, in the centre of business, with ample counter-accommodation and a number of clerks. In the provinces there could not have been fewer than 20 Circles of Issue, at the centre of each of which, in some large town, there must also have been a commodious office and a separate establishment. This establishment could not have been very cheap: for a Deputy Commissioner charged with the Currency must have been a man of a superior stamp and well paid; and with large cash transactions and stocks of notes, he must have had one or more well-paid assistants, to act in case of his illness or absence. I doubt if a State Currency Commission, to do the work of a Bank, could have been established for less than 6,000 *l.* or 8,000 *l.* a year in Calcutta, and an average of 1,500 *l.* or 2,000 *l.* a year for each provincial circle, in which case it must have cost the Government at least twice as much to do the work as it will pay by employing Bank agency.

Nor is this all. It is quite clear that if the Government had dealt directly with the public, it could never have ventured to invest nearly so much of its reserve as it may do with perfect security under the arrangement with the Bank. With such serious consequences resulting from any failure to cash notes at a Government office, and such very inadequate means as a Government possesses of foreseeing commercial fluctuations or meeting commercial difficulties, I should never have ventured to withdraw, for many years to come, a single rupee from any country Centre of Issue; while, with the whole issue at Calcutta and the Bank between me and any unforeseen demand, I could invest 1,000,000 *l.* out of 3,000,000 *l.* with perfect confidence. I consider it wise, however, to keep far on the safe side with regard to investing Currency reserve, and I should recommend the Government for the present to be content with investing as much as may be required to cover the commission to the Bank and any other expenses, for which purpose 500,000 *l.* would be sufficient.

The arrangements with the Banks of Bombay and Madras have been made on the same principle, having regard to the amounts of their previous note circulation and to the average Government balances at those Treasuries.

Agreements have also been made with the Bank of Bengal to establish branches at Patna, Mirzapore, Benares, and Dacca.

Other banks being in existence at Agra and other towns of the North-West and Punjab, who claimed a preference, tenders were invited for undertaking the Treasury business, under the condition that, if any Bank other than the Bank of Bengal obtained this business, they shall undertake a sub-agency from that Bank for the Currency.

The result of these tenders has been, that the Bank of Agra has obtained the Treasury business at Agra and Lucknow, and the Bank of Bengal at Allahabad, Delhi, and Lahore.

The Bank of Bengal has also undertaken to establish branches on similar terms at Jubbulpore and Nagpore, so that the arrangements are now ripe for extending the Calcutta circle of issue over the whole Presidency. The complete arrangements will stand as follows:—

	Minimum Balance, below which if Government draw, they pay Interest.	Maximum Balance, which Bank may use, without special Security.	Actual Balance, 31st March.
Bank of Bengal.	£.	£.	£.
Calcutta	500,000	700,000	4,411,548
Patna	30,000	50,000	167,825
Mirzapore	28,373	37,831	33,582
Benares	30,000	50,000	80,237
Dacca	15,000	25,000	11,917
Allahabad	17,500	35,000	205,022
Delhi	17,500	35,000	108,049
Lahore	17,500	35,000	96,426
Jubbulpore	20,000	40,000	116,616
Nagpore	30,000	50,000	107,258
Agra Bank.			
Agra	20,000	25,000	481,534
Lucknow	15,000	17,500	74,568
Bank of Bombay	300,000	400,000	322,532
Bank of Madras	100,000	150,000	473,661

The Banks of Bombay and Madras are about to establish branches at some of the chief towns of those Presidencies, but the details are not yet completed.

The arrangements with the Bank of Bengal for the transfer of the Treasury business and establishment of a Currency Circle, including nearly all Bengal, and extending to Benares, took effect on the 1st March, and have thus far worked admirably and given unusual satisfaction. Those with the Banks of Bombay and Madras have also been carried out with great success. By the latest returns, the issue of Government Currency stood as follows:—

Liabilities.

Notes Issued—	*Rs.*
Calcutta	2,30,00,000
Bombay	1,14,00,000
Madras	25,00,000
Total	3,69,00,000

Assets.

Coin and Bullion	3,27,85,600
Government Securities	41,14,400

Under these arrangements, India will get the inestimable advantage of an uniform currency, and practically nearly all the advantages and conveniences of a State Bank in each Presidency, while the principle for which the Secretary of State is so anxious will be preserved of keeping the Currency entirely distinct from Banking operations. The Bank is the mere agent of the Government as regards the Currency, to do for it what it must otherwise do, much more expensively and inconveniently, for itself. The Bank has no power whatever of making the circulation differ, to the extent of a single rupee, from what it would have been if it had remained exclusively metallic. The public are not obliged to go to the Bank, and can obtain notes for bullion, in any beyond retail amounts, direct from the Currency Commissioner if they prefer it. In short, the arrangement is very much what it would be if the Issue Department of the Bank of England were placed under the Master of the Mint as Currency Commissioner, the Government having the profit of the Currency, and paying the Bank by a percentage on the circulation for doing the business, while it remained open to any importer of bullion who preferred it to get notes from the Commissioner.

The direct cost to the State of these arrangements will be nothing—the saving of establishments and the extra power of investing reserve more than covering the payments to the Banks—while the indirect advantages will be very great. Treasury guards and escorts will be almost superseded, and remittances greatly facilitated, and in case of need a much smaller aggregate cash balance will suffice to conduct the business of the Government.

The indirect advantage to the community will also be great, from the establishment of Banks at all the principal centres of commerce and population. The extension of English capital and enterprise will be facilitated, while credit generally and all monetary operations will be placed on a sounder and more economical footing. By degrees, the

system of deposits and of making payments by cheques will extend itself throughout the country, with a great simplification and saving in business, and with the advantage of making the spare floating capital of one part of the community available, at a fair market rate, for the legitimate demand of others for temporary accommodation, on good Banking security. The extension of Banks also, with an uniform Paper Currency representing coin, will tend greatly to aid commerce, by facilitating remittances, and keeping the internal exchanges moderate and uniform.

The only remaining point to notice is as to the partial introduction of Gold. I have always thought that the step taken by the Indian Government, in December 1852, of refusing to accept Gold at the Government Treasuries was a mistake. Gold being the most convenient and portable metal, and becoming more and more every day the Currency of nearly the whole civilized world with which India has commercial transactions, it seems to me very undesirable to exclude Gold altogether from the ordinary range of its monetary transactions.

Were it possible to create *de novo* a Currency for India, there can be little doubt that one similar to that of England would be the best—viz., with a Gold standard and Gold Coins for moderate sums, a Silver-token Currency for small transactions, and Notes representing Gold for large amounts. But with a Silver standard and an immense Silver coinage actually existing, the introduction of a Gold Coinage becomes difficult.

I do not agree with many of the objections which have been urged against the adoption of a double standard; and if the alternative had lain between this and the abandonment of the principle of uniformity, by issuing notes in distinct circles, I should not have hesitated to prefer the double standard.

But this object being attained, there are no doubt difficulties in the way of a double standard which it is better to avoid; and, in fact, the adoption of a double standard may be probably looked upon as a transition process to the abandonment of a Silver and substitution of a Gold standard.

This involved an amount of change which, especially under existing circumstances, when a season of tranquillity and repose in financial and monetary matters is very desirable, I was not prepared to recommend; and, accordingly, the only provision respecting Gold inserted in the Currency Act was one by which the Government were empowered to issue notes to a limited extent, never exceeding one-fourth of the issue represented by coin or bullion, against gold coin or bullion, at rates to be fixed, from time to time, and not altered without six months' notice.

The object of this was simply to leave the door open for cautious and tentative experiments with regard to the future use of Gold. The importation of Gold already exists and is increasing, and the metal is so much appreciated by the native population as generally to command a premium. It might, therefore, be a convenience to importers, and an encouragement to increased importation, if it were known that a certain quantity of Gold could always be converted into money at a fixed rate; while if this rate were fixed with a little margin below the ordinary market price, and adjusted, if necessary, every six months, no risk of loss to the Government would be experienced. Thus after a time, if the use of Gold became more general, and its value more fixed, some further step might be taken; but in the meantime the clause would only be acted upon where it was shown that it would be a convenience to commerce, and that the Government would run no appreciable risk. Indeed, I should recommend the Government to wait for a year or two's experience of the working of the system just inaugurated, before they take any step to put this clause as to Gold into operation, unless upon an application from the mercantile community of one of the Presidencies, based upon strong grounds of practical convenience, in which case Notes might be issued for Gold at a safe rate at the Central Office of Issue of that Presidency.

S. Laing.

7th May 1862.

Further MINUTE on CURRENCY and BANKING, by the Honourable *Samuel Laing*, dated 16th May 1862; in Reply to Secretary of State's Letter of 8th April 1862.

SINCE writing the minute of the 7th instant, recording the general policy on which the Government of India had acted in regard to Banking and Currency, a Despatch, dated 8th April 1862, from the Secretary of State has been received, which contains charges against that Government of having acted in disregard of instructions, and having made an extravagant agreement with the Bank of Bengal.

2. I am not directly implicated in these charges, for I was absent from India at the time when the instructions of the Secretary of State were received, and the agreement with the Bank of Bengal was made under the immediate orders of Lord Canning, who had taken charge of the Financial Department; still, as the arrangements were made in conformity with the advice I had given, and as I heartily approve of them, I consider myself as much responsible for them as if they had been my own doing: and as Lord Canning, Sir Bartle Frere, and Mr. Beadon have all ceased to be members of the Supreme Government, and the Financial Secretary, Mr. Lushington, has also left India, I am probably the only person who can rectify the misconceptions which obviously prevail, and refute the charges which, under these misconceptions, have been made.

3. This

3. This I proceed to do—

The following is an abstract of the proceedings which have actually taken place since I became a member of the Government of India:—

The Secretary of State writes, commenting on the Currency Bill introduced by the late Mr. Wilson, and desiring that the Bill may not be passed until it has been submitted for his consideration in Council. 30th November 1860.

The Governor General in Council writes, referring to this letter, and forwarding for approval the new Currency Bill which had been substituted for that of Mr. Wilson, and enclosing a minute by Mr. Laing explaining the objects and nature of the changes made, and minutes by Lord Canning, Sir Bartle Frere, and Mr. Beadon, approving of them. 8th March 1861.

4. With reference to the only point now under discussion, viz., that of arrangements with Banks, the Bill contains provisions, which were not in the original Bill, expressly authorising the Government to make arrangements with "Banks or other Agencies" for "regulating and facilitating the issue and payment, under the provisions of this Act, of promissory notes of the Government of India." And Mr. Laing's minute distinctly states that the object of those provisions was to get rid of the "costly and complicated machinery of semi-independent Government Commissioners," and to substitute "the Agency of the existing Banks wherever they now have establishments, or may be disposed to open branches."

5. The minute further states, that "arrangements are now pending with the Bank of Bengal for keeping the Government account, and for the custody of the cash balance at Calcutta; and it seemed that these arrangements might with great advantage to the Government, and great convenience to the public, be extended to other Banks and Presidencies, and to the principal towns of the interior, and at the same time be made to comprise the management of the Paper Currency."

6. The Secretary of State therefore was fully apprised of the views of the Government of India, and of the policy intended to be pursued in the event of the clauses relative to Banks becoming law.

7. The Secretary of State's reply, dated 2d May 1861, returns the Bill with his sanction, subject to one amendment—viz., for reducing the denomination of notes to five rupees (which was rejected by the Legislative Council), and with full observations as to the proposed arrangements with Banks, the provisions as to which, however, in the Act he does not propose to alter, as he considers that "the alterations in practice which he has recommended are not inconsistent with them."

8. As regards constituting the Bank of Bengal the bankers of the Government, the Secretary of State observes—

"26. As regards the first point, Mr. Laing, in his minute, observes 'that arrangements are now pending with the Bank of Bengal for keeping the Government account, and for the custody of its cash balance at Calcutta.' From this proposition, however, the payment of the interest of the public debt appears to be excluded. To this arrangement, provided proper security be taken against any loss to the Government by any misconduct on the part of the Bank, I have no objection, but I can see no reason why all payments on account of the Government should not be made in the same way."

"27. I observe that Mr. Laing goes on to say—'And it seems to me that these arrangements might, with great advantage to the Government, and great convenience to the public, be extended to other Banks and Presidencies, and to the principal towns of the interior.' I see no objection to similar arrangements to those proposed for the Bank of Bengal being made with the Banks of Madras and Bombay. I concur with him also that, where there are branches of the Banks of Bengal, Madras, and Bombay in other towns of their respective Presidencies, they would virtually be available for the same purposes as the parent establishments in the Presidency towns, and perhaps arrangements might be made with other Banks in the interior; but the convenience will not be great, unless they are in communication with Banks elsewhere."

9. As regards the Currency arrangements, the essence of the Secretary of State's observations is contained in paragraphs 40 and 41 of the Despatch:

"40. There appears to me to be conclusive reasons for the appointment of Commissioners or Deputy Commissioners of Issue in such places as you may select for the Centres of Circles of Issue. Wherever an Issue is to take place, I am of opinion that there should be a Government officer by whom the Issues should be made."

"41. I can quite understand, however, that the notes may be more readily brought into circulation through the medium of bankers, or indeed of other traders; and in a limited sense, therefore, I do not object to the words in the 4th and subsequent clauses, which seem to have been introduced with this view. I object, however, to any banker or trader being, *at any Centre of Issue*, the only place where coin can be obtained for notes, or notes for coin. Such an arrangement is quite inconsistent with the intention and scope of an Act to provide for a Government Paper circulation in India."

10. The Secretary of State, as appears from paragraph 31, was under the impression that Mr. Laing's minute "would almost seem to imply that he intended all bullion or coin to be taken not to the Commissioner of Issue, but to the Bank;" and he lays great stress on

"the issue of notes being kept quite distinct from any Banking establishment," and through "the direct action of a Government office."

11. The Secretary of State was under a misapprehension as regards the meaning of my minute and the intentions of the Government; for although the issue of the Currency through the sole agency of a State Bank like the Bank of England, is undoubtedly the course which I should have advocated, if acting on my own views, I waived this in deference to the known views of the Secretary of State, and proposed arrangements by which, while the objects I had in view would be substantially attained, the principle of a Government Issue would be strictly upheld.

12. This Despatch was received after I had left Calcutta, and dealt with by Lord Canning, who, in my absence, had taken personal charge of all the important business of the Financial Department.

13. His Excellency seems to have taken exactly the same view of it as I should have done myself: viz., that the Secretary of State entirely approved of the proposed Treasury arrangements with the Banks, his only objection being, that upon one point they did not go quite far enough, and as regards the Currency arrangements that he admitted the convenience of employing Bank agency (see paragraph 41 of Despatch), and only objected on the supposition that we intended to do something quite different from what was really proposed—viz., to abandon the principle of Government Issue altogether, and dispense with Government Commissioners, making the Bank the issuing body. The only definite instruction or restriction seemed to be contained in the passage in paragragh 41, which states that "he objects to any banker or trader being, *at any Centre of Issue*, the only place where coin can be obtained for notes, or notes for coin,"—the italics, it being observed, being the Secretary of State's own.

14. The whole subject, with the Secretary of State's Despatch and proposed agreement with the Bank of Bengal, was brought fully before Lord Canning by the Financial Secretary in a long minute; and his Excellency's instructions in the margin show that all the points were fully considered by him, and that it never occurred to him that there was anything in the Secretary of State's letter which required anything more than a few words of explanation as to the real intention, which was given by a Despatch, dated 16th July 1861, and a distinct provision, by which the public might, if they chose, obtain notes for bullion directly through the Currency Commissioner, and without any dealing with the Bank.

15. Accordingly, the heads of agreement with the Bank were sanctioned, after reference to the law officers and careful consideration of details, in September last, or nearly three months before I returned to India.

16. On a careful perusal of the whole proceedings, I can see no foundation whatever for the assertion in the Despatch of the 8th April, just received, that "the arrangement contemplated in the agreement with the Bank appears to be directly opposed to the tenor of my instructions."

17. There is only one phrase in those instructions which, on the most forced construction, can be held to have been contravened. The Secretary of State objects to "any banker or trader being, *at any Centre of Issue*, the only *place* where coin can be obtained for notes, or notes for coin." How a "banker" can be a "place" is certainly not very clear, but the obvious construction appears to be, not as to the number of the street or the locality in which the business is to be conducted, but that the Government Commissioner who issues shall be *bonâ fide* distinct from the banker who is employed as agent.

18. It is a good illustration of the impossibility of dealing with practical details at a distance of thousands of miles from the interests which are affected, that while the Secretary of State was writing his letter, stating that other Banks would probably object to be obliged to go to the Bank of Bengal to get notes, whereas no one could object to go to the Mint, the commercial community of Calcutta, including some of the leading representatives of those other Banks, were urging upon Lord Canning's Government, that the Issue shall be concentrated at the Bank of Bengal, on the ground of the great convenience to all classes engaged in business.

19. The Government of India, being anxious at the same time to meet the Secretary of State's views, and to consult the general wish of the commercial community, made it part of the arrangement that the Government should have an office set apart for the Commissioner of Issue under the same roof as the Bank of Bengal, but entirely distinct from it.

20. Any person, therefore, who prefers having nothing to do with the Bank may take his bullion to the Mint and receive notes for it next day, from a Government officer at a Government office, in the most convenient and central part of the town, without ever seeing the face of a bank clerk, or the Bank having any knowledge whatever of the transaction.

21. If this does not meet the Secretary of State's reservation of the principle of distinct Issue, I am at a loss what more could be done short of an entire prohibition of the use of Bank agency in any form whatever.

22. Surely, if this was the view of the Secretary of State, and if, as he now writes, it

is "contrary to all the instructions I have ever given, that either one or more Banks should be made the medium of the Issue of the Government notes," it was scarcely fair to Lord Canning and his Government to write on the 2d May 1861—in reply to a Despatch expressly announcing the policy of employing Bank agency, and asking for sanction to clauses to carry it into effect—that "he could quite understand that the notes may be more readily brought into circulation through the medium of bankers or other traders; and in a limited sense, therefore, he did not object to the words of the 4th and subsequent clauses, which seem to have been introduced with this view," and qualifying this assent only, by "objecting to any banker or other trader being, at any Centre of Issue, the only place where coin can be obtained for notes, or notes for coin."

23. In my separate minute on the general policy of the Government of India with regard to the Currency, I have shown that it was not proposed to have any Centres of Issue except Calcutta, Bombay, and Madras, and consequently that the Secretary of State's restriction to employing Bank agencies did not apply to any other places, such as Mirzapore or Benares, and that at the Centres of Issue the arrangements made enabled any person who chose to obtain notes for coin, or coin for notes, altogether independently of any Bank.

24. This disposes of the charge of having acted contrary to instructions. As regards the merits of the agreements themselves, I am equally at a loss to understand how such an assertion can be justified, as that they "entail unnecessary payments and loss to the State."

25. That better terms might have been made if we had not been precluded by instructions from home from placing the Banks of Bengal, Bombay, and Madras avowedly in the position of State Banks, I do not deny. But we were precluded from giving the valuable consideration, for which we could have asked a large equivalent. We were compelled to negotiate the Treasury and Currency arrangements separately, and to make each partial and temporary.

26. Under these circumstances, I do not consider that an arrangement under which it can be demonstrated that the State saves more than 1 *l.* directly for every 1 *l.* it pays the Bank, in addition to all the great indirect advantages which have already facilitated the conduct of public business to so great an extent, deserves the appellation of an improvident bargain.

27. The Secretary of State writes—

"9. Looking only to the remuneration to the Bank for the transaction of the Banking business of the Government, I do not understand why any sum should be paid on account of the expense of establishment. When no interest is paid by a Bank on the money in its hands, it is never the practice of Bankers to make any charge for the transaction of the business of their customers. Your average cash balance in the hands of the Bank will probably be not less than from one to two crores of rupees, the use of which, to the extent of 70,00,000 rupees, and the interest derived from the investment of the remainder in Government securities, would have amply repaid the Bank for the management of the Government account."

28. The answer is, that the sole obligation incurred by the State is to keep a minimum balance of 500,000 *l.* in the Bank, or pay interest if it is overdrawn; and that this of itself was not a sufficient compensation for taking from the Bank the use of at least 1,000,000 *l.* of capital through their note circulation, and at the same time calling on them to increase largely their premises and establishment on a five-years' agreement.

29. It is an entire mistake to suppose that the Bank would ever be able in practice to invest the Government balances largely beyond 700,000 *l.* in Government securities, or that they have any power of doing so without Government control.

30. The Bank had already a large investment of its own funds in Government securities; and although the Banking business of India is on such a limited scale that the Bank of Bengal has almost always experienced difficulty in employing its own resources, irrespective of the Treasury balance, still it could not largely increase its fixed investments without an almost certainty of losing more, if compelled to realize, than it had gained by the interest. Moreover, if at any moment the Government thought the investments were locking up more cash than was perfectly prudent, they could at once check it, by drawing out and transferring to the Mint all their own balance beyond 500,000 *l.*

31. In like manner the Government could at once check any attempt to draw out notes, for the sake of the ¾ per cent. commission, more than was a fair amount in the Issue Department, having regard to the active circulation.

32. This also meets the objection taken in paragraphs 21 and 22 of the Secretary of State's letter, that the general cash balances would not be available in case of need to assist the Currency Department in meeting a run for notes.

33. I have stated in my other minute that I consider 500,000 *l.* as the limit which should not, under present circumstances, be exceeded in investing reserves, with a Cur-

rency of 3,000,000 *l.* In case of a run, therefore, we should have to meet it, without any sale of securities.

1st. 2,500,000 *l.* of reserve in coin or bullion in the hands of the Currency Commissioner.

2d. The surplus of our own cash balances, now 17,650,000 *l.* in coin, beyond, say 10,000,000 *l.* wanted to carry on the business of the State, and possibly 500,000 *l.* or 600,000 *l.* of the surplus balance held by Banks, and invested in securities, which the Banks might have to sell at their own risk if the Government required it.

34. The Secretary of State does not appear to understand why a commission of $\frac{3}{4}$ per cent. is paid to the Bank of Bengal for the note circulation opened through its agency, and almost seems to suppose that other parties getting notes for coin or bullion direct from the Currency Commissioner ought to receive a similar per-centage to be put on a footing of equality.

35. It is evident from this that the whole scope and nature of these arrangements is as yet entirely misunderstood.

36. The commission is paid—

1st. Because there is a certain amount of work to be done by some one, in finding counter-space, clerks, superintendence, correspondence with the public, and as to lost or stolen notes, forgeries, &c., which at home is done at a heavy expense by the Bank of England, and which it would cost the Government, at least 50,000 *l.* a year to do badly themselves, while they can get it better done for half the amount through the Bank.

2d. Because the main object of the policy of the Government, as shown in my other minute, was to ensure an uniform Note Currency for the whole Presidency, which could be attained in no other way than by an arrangement making it worth the while of the Bank to maintain considerable cash reserves at a number of provincial cities, and to run the risk of heavy expense in transferring coin rapidly from Calcutta to any branch where it was required.

3d. Because the establishment of branches of a leading Calcutta Bank, at provincial centres of business, was looked upon by the Government as one, and by no means an unimportant step, in the direction of the recent policy, which has striven to open out the resources of India, by extending communications, and creating a permanent tenure in land.

37. Of course we give no Commission to other parties who do no work for us, and I cannot understand how the Secretary of State, who, in his letter of 2d May 1861, contemplated the notes being brought into circulation "through the medium of Bankers, or indeed of other traders," would for a moment have doubted that we should have to pay such Bankers or traders for their services.

38. I have shown in my other Minute that this payment really costs the State nothing, inasmuch as we are enabled by means of it to invest enough of the Currency reserve to cover our expenditure which we could not have done otherwise; but this is a very minor consideration, compared with the paramount importance of securing for India the benefit of an uniform Note circulation.

39. The only attempt at a proof that the arrangement is too favourable for the Bank, is a quotation from the share list, showing that the price of the shares, after the agreement was ratified, rose about 12 per cent.

40. In the first place, it must be remembered that the price of the public funds has risen more than 12 per cent. since I first came to India, a year and a half ago, and that most of this rise has been during the last few months, or coincident with the rise in the Bank shares, since the result of the financial measures of April 1861 was confirmed by the continued increase of the cash balances. But, in the second place, there were special circumstances which kept the price of the Bank shares down until the agreement was actually concluded. The letter of the law gave the Bank no protection against the total loss of their Note circulation at 12 months' notice, which had been given, and was running on, without any compensation.

41. The shareholders could not tell to what extent their moral and equitable claims for compensation would be recognised, and the extent of the real danger they ran is best estimated by the Despatch which has now been received. It is evident that if the Bank had been dealt with as suggested by that Despatch, they would have lost the use of 1,000,000 *l.* of capital, and had to incur large expenditure for increased establishments, for no compensation whatever, except the use of a balance of 500,000 *l.* of Government deposit. Such an arrangement must have considerably reduced the dividend which the Bank had been accustomed to pay, and instead of rising on its announcement the shares must have fallen.

42. The escape, therefore, from a great danger, and the assurance of a settled position with good prospects of future development, coming at a time of almost unparalleled buoyancy in all securities, consequent on the restoration of the finances of India, account amply

amply for the rise in the shares, which, after all, are not at such a high premium now as the shares of other Banks which have no connection with the Government.

43. I cannot, however, dismiss this subject without expressing my total dissent from a policy which assumes, that in transactions between Governments and commercial undertakings their gain must be our loss.

44. On the contrary, a long experience in this class of transactions, both in a public and private capacity, has convinced me that there is no more fruitful source of extravagance than untimely parsimony.

45. I can say from personal knowledge that the refusal of the old East India Company to grant fairly liberal terms to private capitalists anxious to construct railways in India at their own risk, more than 25 years ago, was the main cause why a large extent of railway was not opened in India long before the mutiny, and why even the tardy construction of railways has only been attained by a system of absolute guarantee which virtually adds 50,000,000 *l.* to the national debt of India.

46. This applies with double force to an arrangement which is open to revision after five years. An error on the side of illiberality might have retarded for years the extension of European Banking with an uniform Currency throughout the vast and fertile provinces of the interior of India; while, if experience shows that the Bank got more than is sufficient to maintain a fair dividend (which I do not believe to be the case), the Government will infallibly reap the benefit of it in getting their work done cheaper at the end of the term.

47. I am not aware that there is any other point which requires an answer.

48. It is evident to me that the arrangements entered into here have never been properly understood at home.

49. I hope that Lord Canning may have been able before this time to remove the misconceptions which have prevailed, and that the restrictions on the extension of the arrangements which are working with so much advantage in Bengal, Bombay, and Madras, to the North Western Provinces, the Punjab, and Central India, may have been withdrawn.

50. But if this is not the case, I earnestly trust that the Government of India will prefer to wait for a short time until the experience of the working of the arrangements already made with the Banks of Bengal, Bombay, and Madras, and the universally declared opinion of all classes in India, induce the Home Government to consent to the extension of the benefits of an uniform Currency to the rest of India, rather than take prematurely any step to establish Local Centres of Issue, which I am convinced will be found a most inconvenient, expensive, and unpopular arrangement, and a fertile source of grave embarrassments for the future.

S. Laing.

16 May 1862.

Financial Department.—No. 80 of 1862.

To the Right Hon. Sir *Charles Wood*, Bart., M. P., Secretary of State for India.

Sir,

In continuation of our letter, No. 71, dated the 21st instant, forwarding copies of Mr. Laing's Minutes on Currency and Banking, dated 7th and 16th instant, we have the honour to forward to you copies of the correspondence specified in the accompanying list, relating to the tenders submitted by the Bank of Bengal, and the Agra and United Service Bank (Limited), for undertaking the Treasury and paper currency business in certain districts of the Punjab and North Western Provinces. Our intentions in respect of these tenders will be seen from paragraph 36 of Mr. Laing's Minute, dated 7th instant, but we have refrained from pronouncing any final decision until the receipt of a reply from you to the reference upon the general question.

We have, &c.

Elgin & Kincardine.
R. Napier.
H. B. Harington.
W. Grey.

Fort William, 31 May 1862.

Enclosures to No. 80 of 1862.

(No. 52.)

Financial Department, Fort William, 27 March 1862.

RESOLUTION.

THE arrangements with the Bank of Bengal having now been completed for the transfer of the Treasury business at Calcutta, Patna, Mirzapore, Benares, and Dacca, and for undertaking the agency of the Government currency in the Circle of Calcutta, the time has arrived when the Government desire to extend similar arrangements to the North-Western Provinces, including Oude and the Punjab.

Where there are no existing Banks, arrangements will be made with the Bank of Bengal for the establishment of branches, if that Bank is willing to undertake them on fair terms for the public, but at the following places, viz.:—

Allahabad,	Lucknow, and
Agra,	Lahore.
Delhi,	

there are one or more existing Banks, or one or more Banks so connected with the districts that they might reasonably claim some preference if willing to do the Government business on terms as favourable for the public as other Banks.

It is impossible for the Government to reconcile the conflicting claims of such Banks, and at the same time do justice to the public interests, which require the currency business to be transacted by one and the same Government agency, within the same Circle, by any selection among those Banks, and accordingly His Excellency in Council resolves to invite tenders for undertaking the Treasury business at the above-mentioned places, under the following conditions:—

The cash at each Treasury will be divided into three parts. The first, a minimum balance, which the Government will undertake to keep in the hands of the Bank without interest, or to pay interest at 5 per cent. on any portion of it which may be for a time overdrawn. The second, the difference between such minimum and a maximum balance, the whole of which may be employed by the Bank, as they think fit, as an ordinary customer's deposit. The third to be appropriated strictly to Government purposes, and to remain under Government control.

The competition will turn on the lowest amount of minimum and maximum balances for which any Bank will undertake the business at a particular place.

The Government do not bind themselves to accept the lowest or any tender.

A preference, in case of equality, will be given to the oldest established Bank in the place, or any Bank in whose favour they may waive their claim.

Security may be required by the Government, if it thinks it requisite, for an amount equal to the cash balance placed at the control of the Bank.

Any Bank obtaining the Treasury business must bind itself to undertake, if required by the Government, a sub-agency from the Bank of Bengal for the Currency business, on terms to be settled, if the parties cannot agree, by arbitration; the Government naming an umpire if the arbitrators on each side cannot agree on one.

The term of the Agreement, both for the Treasury business and Currency, will be the same as that of the Bank of Bengal's Agreements with the Government, viz., for five years from the 1st March 1862.

Tenders will be received by the Financial Secretary to the Government of India up to the 30th April 1862, inclusive.

Banks proposing to tender and wishing for more detailed information may apply to the Financial Secretary at his office, where they may see copies of the clauses in the Agreements with the Bank of Bengal for establishing Branch Banks at Mirzapore, &c., which will be required as far as they may be applicable in other cases.

ORDERED, that the above Resolution be published in the "Calcutta Gazette," for general information.

From *George Dickson*, Esq., Secretary and Treasurer, Bank of Bengal, to the Honourable *E. Drummond*, Secretary to the Government, Financial Department; dated 29 April 1862.

WITH reference to Resolution, No. 52, of the Financial Department, dated 27th March, inviting tenders for undertaking the business of the Treasuries at Allahabad, Agra, Delhi, Lucknow, and Lahore, I have the honour to acquaint you, by desire of the Directors, that they are prepared to establish branches in those several cities, and, subject to the prescribed conditions, to undertake the management of the Treasury business, on being assured of a minimum balance of one lac and 75,000 rupees, and a maximum balance of three lacs and 50,000 rupees for banking purposes, at each of the stations above-named.

On the 11th March, I had the honour of submitting, for the information of his Excellency the Viceroy in Council, a statement embodying the various grounds on which it appeared to

to the Directors that the Bank of Bengal had, in equity, a prior and exclusive claim to the support of Government, both in Calcutta and throughout the entire Presidency. At the same time I had also the honour of submitting the opinion of the Directors on the question regarded as one of public polity.

It is not within the compass of my present instructions to trouble his Excellency in Council with a repetition in detail of the views set forth in the above communication, but I would take leave respectfully to invite the attention of his Excellency in Council to its contents, as strictly bearing on the satisfactory adjustment of the future management of the district Treasuries. So important, however, do the Directors regard the subject, both to Government and the Bank, as well as to the public, that I have received instructions again to press generally on the notice of his Excellency the Viceroy in Council, the expediency of conceding to the Bank a priority of claims for conducting the Government business wherever Government may elect to delegate the duties to Banking Establishments. That the Bank with a uniform code of regulations for the guidance of their agents in conducting both the ordinary business of the Bank and the Government Treasuries, subject to the control of a local Board of Direction, in which the Government Directors form an influential element, possesses advantages over every other establishment in the Presidency, is, the Directors believe, admitted on all hands. That the extension of a system of Banking, based on well defined and sound principles, would prove highly beneficial to the future prosperity of India, is, the Directors believe, also beyond dispute.

The introduction of the Government Currency, and the near prospect of Calcutta being united by railway with the chief cities in the Presidency, offer a favourable opportunity for enabling the directors, with the co-operation of Government, to extend the sphere of the Bank's operations, and to establish in the Provinces a system of banking which will, the Directors believe, tend to more uniformity in the rate of internal exchange, and break down the usurious rates of interest, which, as a rule, are at present being levied from the public. It will, however, be apparent to his Excellency the Viceroy in Council, that the formation by Government of business relations with other Banks, in cities where the Directors are prepared to establish branches, would impede, if not actually prevent, the development of one great Bank, which, as a national institution, would, wherever its influence extended, exercise a beneficial influence on the monetary transactions of the country.

The Directors do not desire to draw a comparison between the nature of the business transacted by the Bank and other establishments, nor to dwell on the difficulties and complications likely to arise out of divided action in the management of the Government business, but they would respectfully recall to the recollection of his Excellency the Viceroy in Council, that there does exist a broad and well defined line of demarcation between the description of business undertaken by it and every other Bank in the Presidency. Confined under the provisions of the Charter to strictly Banking operations, the Bank of Bengal bears in its relations to Government a close analogy to the Bank of England. His Excellency the Viceroy in Council is aware that down to the year 1826, the Bank of England was limited in its operations to a narrow circle beyond the metropolis. The evils to public credit, followed in too many instances by a paralysis of trade, resulting from repeated and wholesale failure of provincial Banks, established and conducted on unsound principles through a series of years, led the Government of the day to solicit the Bank of England to establish branches at the principal towns throughout the entire country. These branches still exist from Portsmouth to Newcastle, and his Excellency the Viceroy is doubtless aware that they have been regarded not in the light of intruders, or opposition establishments, but were welcomed as, what in reality they have often proved to be, the only sure resource in times of distrust and commercial distress.

The Directors desire respectfully to recall those facts, from an apprehension that the present action of Government in inviting tenders for the management of the Treasury business, if followed out, will certainly tend to encourage the formation and establishment of small Banking Companies, with inadequate capital, and inexperienced Directors, who, however, knowing the importance and prestige attaching to a direct connexion with Government would, doubtless, undertake the Government business on almost any terms. The question is not one of competing issues, but one in which the Directors desire me respectfully to represent that the credit of Government is intimately bound up, inasmuch as Government, in the eye of the public, assumes, as it were, the office of sponsor for the stability of every Bank, with which it may form such enduring and important relations.

The Directors are anxious to convey to his Excellency in Council the assurance, that in their desire to extend the sphere of the Bank's influence and usefulness with the aid and countenance of Government, they do not calculate on any great pecuniary advantages to the shareholders. The Directors have never hesitated, however, to acknowledge that they do attach great importance to the exclusive connexion which has so long subsisted between Government and the Bank. This privilege, the Directors believe, every Exchange Bank in Calcutta (with probably a single exception), and the public generally, acknowledge as fairly belonging to the Bank of Bengal, not only in this city but generally throughout the Presidency. Although the Directors conceive that the probable profits likely to arise from the employment of the Treasury balances above stipulated for, are not more than sufficient to warrant the Bank in undertaking the establishment of so many branches, yet, for the reasons now and formerly urged on the attention of Government, and at the risk of even encountering direct loss, I am to add that, should Government deem it necessary, the Directors are prepared so to modify the terms of the above offer as to meet the views of Government, if at all possible.

From the Officiating Manager, Agra and United Service Bank, Limited, to the Secretary to the Government of India, Financial Department, dated Calcutta, 29 April 1862.

With reference to notification, No. 52, of the 17th March 1862, I am instructed by the Local Directors of this Bank to tender for the Government Banking business at Allahabad, Agra, Lucknow, Delhi, and Lahore.

I append a memorandum of the average monthly cash balances for five years from 1857 to 1861, inclusive, communicated to me last January, on which and on the agreement with the Bank of Bengal for establishing a Branch Bank at Mirzapore, my tender is mainly based.

I understand that when the cash at any of the respective Treasuries exceeds or is equal to the amounts named as the maximum balance, the Bank whose tender is accepted will be allowed to use for its banking purposes the Government funds to the extent of the maximum balance named, and when the cash at any one Treasury is lower than the amount named, interest is to be charged on the difference between the amount in cash and the minimum balance by the Bank.

On this understanding I submit the following as the balances, for the use of which this Bank will undertake the transaction of the Government business.

	Maximum.	Minimum.
	Rs.	*Rs.*
Allahabad	3,75,000	3,00,000
Agra	2,50,000	2,00,000
Lucknow	1,75,000	1,50,000
Delhi	3,00,000	2,50,000
Lahore	2,50,000	2,00,000

This Bank is fully prepared to lodge Government Securities of the value of the balances placed at its control, and to submit statements of the affairs of the Bank generally, and of the branches employed by Government in particular.

This Bank is also willing, if required by Government, to undertake a sub-agency for the currency business under the Bank of Bengal.

In the Agreement with the Bank of Bengal for establishing a Branch Bank at Mirzapore, a special allowance of 2,700 rupees annually is made. This allowance, I am informed, is the extent of the saving effected by Government in handing over the Treasury. No reference is made to this subject in the Resolution calling for tenders, but I presume it will not be lost sight of at places like Allahabad, where the Treasury business is very extensive. I desire, however, to leave any such allowance to the favourable consideration of Government.

I notice the Government will give a preference in cases of equality to the oldest established Bank, and I would specially bring forward the claims of this Bank, the pioneer of banking in the Upper Provinces. It was established at Agra in the year 1833, and was incorporated by Royal Charter in 1857. It was subsequently registered under the English Joint Stock Banks Limited Liability Act, thus limiting the liability of the shareholders to the full amount of their shares. The subscribed capital is 2,000,000*l.* (two millions sterling), of which one-half or (one million) 1,000,000 *l.*, is paid up. This capital is fortified by a reserve fund of 200,000 *l.* I need hardly refer to the times, the panics, and the mutiny through which this Bank has passed, nor the success which has attended its operations. I may, however, mention that whilst it is the oldest and largest Bank at Agra, and exercises a wide influence in the Upper Provinces, it is the only Bank at Lahore and Umritsur, and at those places makes special claims for the business of Government, under paragraph three of the Government Memorandum, dated 20th March 1861, copied at foot.

In the list of places named for tenders, Umritsur is not included, but I am prepared to submit proposals for conducting the Treasury business at that place.

Appendix.

Extract from Statement showing Monthly Average Cash Balance for Five Years, from 1857 to 1861, dated Fort William, Financial Department, 28 January 1862.

	Rs.
Allahabad	25,62,987
Agra	15,43,210
Lucknow	11,70,173
Delhi	16,17,637
Lahore	12,65,550

Copy of Clause 3 of Government Memorandum of 20 March 1861.

As regards the establishment of Branch Banks, the Government will in each Presidency prefer dealing with the Presidency Banks when the ground is unoccupied. But when other Banks have been established before the Presidency Bank thinks fit to establish a Branch, the Government considers that they will have a preferable claim on equal terms, and finding proper security.

From the Officiating Manager, Agra and United Service Bank, Limited, to the Honourable *E. Drummond*, Secretary to Government, Financial Department, No. 684, dated Calcutta, 23 May 1862.

As the Honourable Mr. Laing left by the Mail Steamer this day for England, and, I presume, a decision must have been made before his departure, in regard to the tenders for the Treasury business at Allahabad, Lucknow, Agra, Delhi, and Lahore, I shall feel particularly obliged by your giving me any information you can, as to the offer made by this Bank.

From the Honourable *E. Drummond*, Secretary to the Government of India, Financial Department, to the Officiating Manager of the Agra and United Service Bank, Limited, Calcutta, No. 3636, dated 31 May 1862.

I am directed to inform you, in reply to your letter, No. 684, dated 23rd instant, that the Governor General in Council has received your tender of the 29th ultimo, but is precluded from pronouncing a decision upon it, until the receipt of a reply from the Right Honourable the Secretary of State for India, to a reference made to him on the subject.

From the Honourable *E. Drummond*, Secretary to the Government of India, Financial Department, to the Secretary and Treasurer of the Bank of Bengal, No. 3637, dated 31 May 1862.

I am directed to acknowledge the receipt of your letter of the 29th ultimo, submitting a tender for undertaking the Treasury business at Allahabad, Lucknow, Agra, Delhi, and Lahore, and to inform you in reply that the Governor General in Council is precluded from pronouncing a decision upon it until the receipt of a reply from the Right Honourable the Secretary of State for India, to a reference made to him on the subject.

Home Department.—Legislative.—No. 12 of 1862.

To the Right Honourable Sir *C. Wood*, Bart., G. C. B., Secretary of State for India.

Sir,

In conformity with the provisions of Section XLI. of the Indian Councils Act, I have the honour to forward to you an authentic copy of the * law noted on the margin, which has been passed by the Council of the Governor of Fort Saint George, and to which I have this day signified my assent.

* Act V. of 1862, an Act for regulating the Bank of Madras.

I have, &c.

Fort William, 14 June 1862. *Elgin & Kincardine.*

ACT No. V. of 1862.

Passed by the Governor of Fort St. George in Council.—(Received the assent of the Governor General on the 14th June 1862.)

An Act for Regulating the Bank of *Madras*.

Preamble.

Whereas the Governor of Madras in Council has, pursuant to the provisions of Act IX. of 1843, given 12 months' due notice to the Bank of Madras, that the provisions of the said Act, as regards the power of the Bank to issue promissory notes under section XXXIII. of that Act, would be modified, and it is expedient that the provisions of the said Act, and of Act XXI. of 1854 (to amend the law relating to the several Banks of Bengal, Madras, and Bombay), and of Act XXVII. of 1855 (to enable the Banks of Bengal, Madras, and Bombay to transact certain business in respect of Government securities and shares in the said Bank), as regards the said Bank of Madras, should be re-enacted, with certain amendments and modifications hereinafter contained. It is hereby enacted as follows:—

Acts IX. of 1843, XXI. of 1854, and XXVII. of 1855, are repealed.

1. Act IX. of 1843, except in so far as it repeals any prior Charter, Regulation or Act, and except as to any act or offence done or committed, or any liability incurred before this Act shall come into operation, and Acts XXI. of 1854, and XXVII. of 1855, so far as they severally relate to the Bank of Madras, are repealed from and after the coming into operation of this Act.

Bank of Madras shall continue to be a corporation.

2. From and after the coming into operation of this Act, and notwithstanding the repeal of the said Act IX. of 1843, the present and future proprietors of the capital stock of the Bank of Madras shall continue to be a body corporate, by the name of the Bank of Madras with perpetual succession, and shall continue to possess and enjoy all the rights, privileges, and immunities incident by law to a corporation aggregate.

Rights and liabilities of Bank of Madras preserved.

3. All property and securities for property, claims, and demands whatsoever, now vested in, or held by the said Bank of Madras, under and by virtue of the said Act IX. of 1843, shall, from and after the coming into operation of this Act, be vested and continued in the said Bank of Madras, as and being a body corporate, under and by virtue of this Act as aforesaid, and the said bank of Madras, as such body corporate, shall be subject to all debts, demands, claims, and liabilities outstanding against the said Bank at the time of this Act so coming into operation, and no suit or proceeding at law or in equity then pending, shall cease or abate, in consequence of the repeal of the said Act IX. of 1843, or of the continuance of the said Bank by virtue of this Act.

Suits not to abate.

Corporate powers of Bank.

4. The said Bank so continued as aforesaid, shall and may sue and be sued by its corporate name aforesaid, and shall and may have and use such common seal as the Directors of the said Bank shall from time to time appoint, and shall be competent as such body corporate to acquire and hold, either absolutely or conditionally, for a term, or in perpetuity, any description of property whatever, and to transfer and convey the same.

Capital to continue.

Shares to be divisible.

5. The existing capital of the said Bank, now consisting of 3,000 shares of 1,000 rupees each, shall continue to be the capital of the said Bank, but each of such shares shall, from and after the coming into operation of this Act, be divisible into half and quarter shares, and such capital shall be subject to such increase as next hereinafter mentioned.

Directors may add to capital.

6. It shall be lawful for the Directors of the said Bank for the time being, from time to time, as and when they shall deem it expedient so to do, and on such previous notification as they may deem sufficient in that behalf, to increase the said capital, and for that purpose to make such orders and directions for the opening of subscriptions towards such increase of capital by the proprietors of the Bank for the time being, as to them may seem fit, and also to allow to the said proprietors such period to fill up the subscription as to them, the said Directors, shall seem meet, and also to prescribe in what manner and form the said proprietors shall subscribe and pay into the said Bank, the proportions of new capital which such proprietors may respectively desire to subscribe, and also to make such orders and directions as to them, the said Directors, may seem fit, for the disposal and allotment of the amount of new capital that may not be subscribed for, and paid up by proprietors for the time being, in the manner and form so prescribed. Provided always that the capital of the said Bank, including any increase therein that may be made under section XXXVI. of this Act, shall not in the whole exceed six thousand (6,000) shares of 1,000 rupees each.

Not to a greater extent than 6,000 shares of 1,000 rupees each.

Shares may be exchanged for consolidated stock.

7. It shall be lawful for any proprietor of any 1,000 rupees share or shares, or of any half or quarter share or shares, in the existing capital or in the new capital so to be created as aforesaid, at any time and from time to time, to surrender such share or shares, or half

or

or quarter share or shares, or any of them, to the Directors of the Bank for the time being, and to demand and receive from the Bank in lieu thereof consolidated stock to the like amount as represented by the share or shares, or half or quarter share or shares so surrendered; and in like manner any proprietor, or other person subscribing for any portion of the new or increased capital under the provisions hereinbefore contained, may at his option subscribe for shares or for consolidated stock, or partly for shares and partly for stock.

Increase capital may be subscribed for in shares or stock.

8. The consolidated stock aforesaid shall be transferable (subject to the provisions hereinafter contained with respect to transfers) in any amount or sum not less than 250 rupees, and the holders of any shares or share, or half or quarter shares or share, or of any consolidated stock, shall be a proprietor of and interested in the capital of the Bank to the extent of the amount of the shares, or half or quarter shares, or stock so held by him.

Stock to be transferable in sums not less than 250 rupees.

9. A certificate signed by three Directors of the said Bank shall be delivered to the proprietor of any share, or half or quarter shares, of the capital of the said Bank, upon demand made by such proprietor; and any proprietor of more than one such share or half or quarter share may at his option demand a certificate for each, or one certificate for all his shares; and a receipt shall in like manner on demand be delivered to the proprietor of any stock, and any proprietor of stock may at his option demand one receipt for the whole of the stock, or separate receipts for any portion of the stock so held by him.

Share certificates.

Stock receipts.

10. The proportion of the capital of the said Bank held by any proprietor, whether held as shares or as consolidated stock, shall be of the nature of personal estate of such proprietor.

Stock and shares to be personality.

11. Shares in the said capital shall be transferable by endorsement to be made on the certificates thereof respectively under the hand of the proprietor, of his attorney duly authorised, which endorsement shall specify the name of the person or persons to whom the said transfer shall be made; and consolidated stock shall be transferable by a deed of transfer executed by the proprietor or his duly authorised attorney, and in the form set forth in Schedule A. hereto annexed, provided always that no endorsement of a share certificate or deed of transfer of stock shall be effectual to transfer any interest in the share or stock until such endorsement or deed of transfer shall have been registered at the Bank of Madras, and such registration shall have been noted on such endorsement or deed of transfer under the hand of an officer appointed for that purpose by the Directors of the said Bank. Provided also that every transfer of shares or stock by endorsement or deed of transfer as aforesaid shall be liable to stamp duty as a transfer of shares under Clause 19 of the Schedule A. to Act XXXVI. of 1860, or any future Act imposing a stamp duty on transfer of shares.

Mode of transferring shares and stock.

Transfer must be registered.

Stamp duty on transfer.

12. The registered proprietors for the time being of the shares and stock into which the capital of the said Bank shall be divided, and no other persons, shall be members of the body corporate hereby continued, and the Bank shall not be bound or affected by notice of any trust to which any share or stock may be subject in the hands of the registered proprietor thereof; and when any share or stock is vested in more than one registered proprietor, such proprietors shall, as between themselves and the Bank, be considered as joint tenants, with benefit of survivorship. The shares and stock registered in the name of the Governor in Council shall be deemed to belong to the Secretary of State for India in Council.

Registered proprietors only to be members of Bank.

Notice of trust not to bind the Bank.

13. The business of the said Bank shall be managed by nine Directors, of whom, so long as the Government of Madras shall hold shares or stock in the said Bank, or so long as any such arrangement or agreement with the Government, as in Section XXIX. of this Act mentioned which has been already entered into or may hereafter be entered into shall remain in force, three shall be appointed and removable by the Governor of Madras in Council, and the remaining six Directors, and in case the Government shall cease to hold shares or stock in the said Bank, and no such arrangement or agreement as aforesaid shall remain in force, all the Directors shall be elected and be removable by vote of a general meeting of the proprietors.

Nine Directors.

Mode of their appointment or removal.

14. The persons who, at the time of this Act coming into operation, shall be Directors of the said Bank, shall continue to be Directors of the said Bank, subject to removal as aforesaid, and to the provisions hereinafter contained,

Existing Directors to continue such.

15. Two of the six Directors elected, and to be elected by the said proprietors, shall in rotation go out of office on the second Monday in the month of December in every year, on which day a general meeting of proprietors shall be held for the election of two Directors in their stead; provided always, that any Directors going out by rotation as aforesaid shall not be re-eligible at the election which takes place thereupon, provided also that the rotation existing at the time of this Act coming into operation shall continue to be observed.

Directors to go out by rotation.

Their places supplied by election.

16. No person shall be eligible or qualified to serve as a Director by election of the proprietors who shall not be a proprietor in his own right of unincumbered shares or stock to the amount of 6,000 rupees at the least of the capital of the said Bank, or who shall be a Director or agent or manager of any other Joint Stock Bank or Branch Bank within the town

Directors must be owners of stock or shares to amount of 6,000 rupees.

No director or manager of a bank to be eligible.

town or suburbs of Madras, or who shall be a partner of or managing agent for, or shall hold a power of procuration from any such Director, agent or manager. No two persons, who shall be partners of the same mercantile firm, or one of whom shall be the general agent of or shall hold a power of procuration from a mercantile firm of which the other is a partner, shall be eligible or qualified to serve as Directors at the same time.

No two partners in the same mercantile firm.

Mode of filling up vacancies in the Directors.

17. In case of the death, resignation, or absence from Madras for more than three calendar months, or disqualification under the preceding section, or removal as aforesaid, of any Director elected or to be elected by the said proprietors, the other Directors shall within 15 days after such death, removal, resignation, absence or disqualification, call a special general meeting of the proprietors, for the purpose of choosing a successor to the director so dead, resigned, absent, disqualified or removed, and such successor shall come into the same place in the rotation above-mentioned in which the deceased, removed, absent or disqualified Director was.

Voting at meetings of proprietors.

18. At general meetings of the proprietors, whether ordinary or special, every election and other matter submitted to the meeting shall be decided by a majority of votes, and no person shall be allowed to vote at any such meeting in respect of any share or stock acquired by transfer, unless such transfer shall have been completed and registered six months at the least before the time of tendering such vote.

Mode of calculating votes.

19. At all such general meetings, the proprietors shall vote according to the following scale:

2 Shares of 1,000 rupees each, or consolidated stock amounting to 2,000 rupees, shall entitle to 1 vote.
6 Shares of 1,000 rupees each, or consolidated stock amounting to 6,000 rupees, shall entitle to 2 votes.
12 Shares of 1,000 rupees each, or consolidated stock amounting to 12,000 rupees, shall entitle to 3 votes.
25 Shares of 1,000 rupees each, or consolidated stock amounting to 25,000 rupees, shall entitle to 4 votes.
40 Shares of 1,000 rupees each, or consolidated stock amounting to 40,000 rupees, shall entitle to 5 votes.
60 Shares of 1,000 rupees each, or consolidated stock amounting to 60,000 rupees, shall entitle to 6 votes.

Joint proprietors only to have a single vote.

And no proprietor shall be entitled to more than six votes; provided also, that when any share or stock shall be held by joint registered proprietors, the proprietor whose name shall appear first in the register as one of the holders of such share or stock shall alone be entitled to vote in respect thereof, and to receive notices as if he were sole proprietor thereof.

Government of Madras to vote by proxy.

20. It shall be lawful for the Governor of Madras in Council, so long as the Government shall hold shares or stock in the said Bank, or so long as any such arrangement or agreement with the Government as in Section XXIX. of this Act mentioned shall remain in force, to give a proxy in writing, signed by one of the Secretaries to Government, to any person whom the Governor of Madras in Council may appoint to attend any general meeting of the proprietors, and the holder of such proxy shall be entitled to give six votes upon all matters or questions that may be submitted to such meeting, excepting upon the election or removal of such Directors as are elected by the said proprietors.

Proprietors may vote by proxy, general or special.

21. Any proprietor entitled to vote at any general meeting may give a proxy in writing, either general or special, under his hand, or the hand of his attorney duly authorised, to any other proprietor, and such proxy shall be produced at the time of voting, and shall entitle the person, to whom it is given, to vote on such matters as shall be authorised by the tenor of such proxy.

Existing proxies to continue.

Proxies existing and in force at the time of this Act coming into operation shall continue in force, anything herein contained notwithstanding.

Directors to choose a president.

22. At the first meeting of the Directors in every year, they shall choose a president from among themselves; and whenever the office of president shall become vacant, they shall, at their next meeting, choose a successor for the remainder of the current year;

Senior Director to be vice-president.

and during any vacancy, or in the absence of the president, the senior Director in rotation shall be vice-president for the time, and such president or vice-president, shall have the casting vote in all cases of an equal division of votes at meetings, either of Directors or proprietors.

Mode of executing bank documents.

23. The persons for the time being holding the office, or duly authorised to discharge the duties, of secretary and treasurer, or of secretary alone, or of deputy secretary of the said Bank, are hereby severally empowered, for and on behalf of the said Bank, to endorse and transfer Government securities, railway share certificates, and bonded warehouse warrants, and other documents, of title in and to goods standing in the name of the said Bank, and to draw, accept, and endorse bills of exchange, bank post bills, and letters of credit, in the current and authorised business of the Bank, and to sign all other accounts, receipts, and documents connected with such business.

Seal to be affixed in presence of three Directors, who shall also sign.

24. The seal of the Bank shall not be affixed to any instrument except in the presence of three Directors, who shall sign their names to the instrument in token of their presence, and

and such signing shall be independent of the signing of any person who may sign the instrument as a witness, and unless so signed by three Directors such instrument shall be if no validity.

Directors to appoint, remove, and fix salaries of servants.

25. The Directors for the time being shall have power to appoint such officers, clerks, and servants as may be necessary to conduct the business of the said Bank, and to remove any officer, clerk, or servant of the said Bank, and to fix the salaries of such officers, clerks, and servants.

Secretary, &c., not to trade.

And to give security.

26. No person who shall hold the office of secretary and treasurer, deputy secretary, head accountant, or head shroff of the said Bank, shall directly or indirectly engage in any other commercial business, either on his own account individually or jointly with others, or as agent for any other person or persons, or act as a broker; and every person appointed to any one or more of the said offices shall give such security to the Directors for the faithful discharge of his duty as they shall think sufficient; provided that the security to be given by any secretary or treasurer shall be for not less than 50,000 rupees.

Business of the Bank.

27. The business of the said Bank of Madras shall consist of, and in lending on Government securities, and shares in railway or other companies, the interest whereon shall have been guaranteed by Government, and on goods, wares and merchandize, not of a perishable kind; in drawing, discounting, buying, and selling bills of exchange and other negotiable securities, payable in Her Majesty's Indian territories, and not elsewhere, in granting post bills, payable in Her Majesty's Indian territories, to order or otherwise than to bearer on demand, in buying and selling gold and silver bullion, in making investments in securities of the Government of India, or in loans or bonds secured by the Imperial Parliament on the revenues of India, or in debentures of railway or other companies guaranteed by the Government of India, in receiving deposits, in opening cash accounts and credits, in transacting pecuniary agency business on commission, and in selling property or securities deposited in the Bank as security for loans and not redeemed, or property or securities recovered by the Bank in satisfaction of debts and claims.

Bank may draw bills payable out of India for their constituents.

28. In addition to drawing, buying, and selling bills of exchange, and granting post bills payable in India, it shall be lawful for the Bank to draw bills of exchange, and grant letters of credit payable out of India, for the use of their constituents in the Agency Department, and to buy bills of exchange payable out of India for the purpose of remitting funds to meet such bills or letters of credit.

Bank may undertake business of Government Treasury.

And of Currency Department.

Directors may arrange as to terms of remuneration.

And as to audit of accounts.

29. It shall also be lawful for the said Bank, through their Directors, under any arrangement or agreement with the Governor of Madras in Council, on behalf of the Secretary of State for India in Council, to take over and transact any part of the business of or hitherto carried on at the General Treasury, or in the Departments of the Accountant General at Fort Saint George, and to superintend, manage, and become agents for the issue, payment and exchange of Government Currency Notes under Act XIX. of 1861, or any Act which may hereafter be passed in relation to the Paper Currency of the Government of India, and to pay the amount of such Government Currency Notes in silver to the holders thereof on presentation and demand, and the Directors of the said Bank shall have power from time to time to arrange and settle with the Governor of Madras in Council as to the terms of remuneration on which such business in relation to the General Treasury, Accountant General's Department and Government Paper Currency shall be undertaken by the said Bank. And also as to the examination and audit, from time to time, of the accounts and affairs of the Bank on behalf of the Governor of Madras in Council.

No advances to be made on Bank stock or shares, or on immovable property.

30. The Directors of the said Bank shall not make any loan or advance on shares or consolidated stock of the said Bank, nor on mortgage, nor in any other manner, on the security of any lands, houses, or immovable property, or the title-deeds relating thereto.

Books to be balanced twice a year.

Statement of balance transmitted to Government.

Government may require information.

31. The Directors of the said Bank shall cause the books of the said Bank to be balanced on the 30th day of June and the 31st day of December in every year, or at such other periods as shall from time to time be determined by the Directors, and a statement of the balance at every such period, signed by a majority of the Directors, shall be forthwith transmitted to one of the secretaries to the Governor of Madras in Council, and the Governor of Madras in Council, so long as the Government shall hold shares or stock in the said Bank, or so long as any such arrangement with the Government, as in Section XXIX. of this Act mentioned, which has already been or shall hereafter be entered into shall remain in force, shall at all times be entitled to require of the said Directors any information touching the affairs of the Bank, and the production of any documents of the said Bank, and the Directors shall comply with every such requisition.

Half-yearly accounts and dividends.

32. An account of the profits of the said Bank shall be taken half-yearly on the 1st day of January and the 1st day of July in every year, or at such other periods as may from time to time be determined on by the Directors, and a dividend thereof shall be made as soon thereafter as conveniently may be, and the amount of such dividend shall be determined by the Directors of the said Bank, on the basis of the actual profits made by

Reserve fund.

the said Bank during the six calendar months preceding the day up to which such half-yearly account shall be taken; provided that the said Directors shall, in their discretion, have power to set apart such portion of the said profits as they may deem expedient to be added to the Reserve Fund against contingencies.

Yearly meeting of proprietors.

33. On the first Monday of the month of August in every year, a General Meeting of the Proprietors of the Capital of the said Bank shall be held, at which the Directors of the said Bank shall submit to the said Proprietors a statement of affairs of the said Bank, made up to the preceding 30th of June, or to such other day as may be determined on by the Directors.

Auditors to be elected by proprietors.

34. At the first general meeting of the Proprietors of the Bank, held after the coming of this Act into operation, one or more Auditors for the current year may be elected by a majority of votes at such meeting; and, in like manner, an Auditor may be elected at the first general meeting of the Proprietors in each current year.

Mode of convening special general meetings.

35. Any three of the Directors, or any ten Proprietors of the said Bank may, at any time, convene a Special General Meeting of the Proprietors, upon giving 15 days' previous notice of such meeting, and of the purpose for which the same shall be convened, as well to the Directors of the said Bank for the time being, as also by public advertisement in the Official Gazette of Madras.

Branch Banks and agencies.

36. It shall be lawful for the Directors of the said Bank, with the sanction of the Governor of Madras in Council, from time to time to form business agencies, and to establish branch Banks at such places as they may deem advantageous to the interest of the Bank, with full power to the said Directors to appoint during pleasure such agents, clerks and servants, and either with or without local Boards of direction or management, and under such regulations, restrictions and conditions as to them may seem fit, and from time to time to vary such regulations, restrictions and conditions, and the said agents and other officers shall give such security for their good behaviour as the Directors may require, and it shall also be lawful for the Directors, from time to time, under any arrangements or agreements with the Governor of Madras in Council on behalf of the Secretary of State for India in Council, to provide for the conduct and transaction by any such Branch Bank or Banks of any part of the business of or hitherto conducted at the local Government Treasuries and for the superintendence, management and agency of the local issue, payment and exchange of any Goverament currency notes. Provided that such arrangements, and all regulations and directions given by the said Directors to the agents or managers of such Branch Banks touching the management thereof, or the description of business to be undertaken thereby, shall not contain anything inconsistent with or contrary to the provisions of this Act, or of any byelaw, regulations or order which may be in force for the time being under the 40th Section of this Act,

Directors may enter into arrangements with Government for taking up local treasuries.

Business of other banks in India may be purchased.

37. It shall be lawful for the Directors of the said Bank from time to time to enter into negotiation for, and to purchase and take over the capital, assets, and business of any other Bank within Her Majesty's Indian territories, of which the capital is divided into shares, and to grant and allot to the shareholders or proprietors in such Bank in full of their respective right, title, and interest in such capital, assets, and business, a sufficient number of shares in the capital stock of the said Bank of Madras (which number shall be determined by the Directors), and for that purpose to increase the capital stock of the said Bank by the issue of such number of shares as may be so determined on. The shareholders or proprietors of the purchased Bank, to whom such new shares shall be allotted, shall be proprietors of the Bank of Madras, and be in all respects in the same position as if they had respectively subscribed and paid for the shares so allotted to them. Provided always that the business so purchased shall, after the purchase, be carried on by the said Bank of Madras, with and subject to the several restrictions contained in this Act.

Shareholders of such Bank to be shareholders of Bank of Madras.

Dividends of proprietor indebted to Bank may be withheld;

And registry of transfer of shares refused;

And shares sold six months after notice.

38. If any of the said proprietors shall become indebted to the said Bank, it shall be lawful for the said Bank to withhold payment of the dividends on the share or shares, or consolidated stock of such proprietor registered as his own property, and not held in trust or as executor or administrator, until the payment of such debt, and to apply such dividends towards payment thereof; and after demand and default of payment, and notice in that behalf given either to such proprietor or his constituted agent, or by public advertisement in the Official Gazette of Madras, it shall be lawful for the said Bank to refuse registration of the transfer of any such share or shares or stock of such proprietor, until payment of such debt; and if the same shall remain unpaid for the space of six calendar months after such notice, to advertise for public sale, and to sell such share or shares or stock, or so many or so much as may be necessary, and to apply the proceeds thereof towards payment of such debt, with interest at the rate of six per cent. per annum, paying over the surplus, if any, to such proprietor or to his lawful representatives.

Representative of deceased shareholders must take

39. When by the death of any proprietor his share or shares or stock shall devolve on his legal representative, the Bank shall not be bound to recognise any legal representative

tive of such deceased proprietor, other than a person who has taken out probate to the will or letters of administration to the estate of such deceased proprietor, from the Supreme Court of Judicature, at Madras, or who has obtained a certificate in respect of the estate of such deceased proprietor, under Act XXVII. of 1860, describing such shares or stock, from Court of competent jurisdiction within the Presidency of Madras.

out probate, administration, or certificate.

40. It shall be lawful for the Directors for the time being of the said Bank to make and pass bye-laws, regulations, and orders, for the good government of, and in reference to the mode of conducting the business of the Bank, and from time to time to modify, rescind, and vary such bye-laws, regulations, and orders; and it shall further be lawful for the proprietors of the said Bank, at any general meeting, whether ordinary or special, to pass resolutions, and to frame and from time to time to rescind and vary bye-laws, regulations, and orders for the direction of the affairs of the Bank; and the same shall be binding on the Directors and Officers and on the Proprietors of the Bank, until rescinded or varied at any subsequent General Meeting; provided always, that no bye-law, regulation, or order, or alteration or rescission of any bye-law, regulation, or order, whether passed by the Directors, or by the proprietors at a general meeting, shall be of any validity except in so far as the same shall be consistent with the provisions of this Act, and shall be approved by the Governor of Madras in Council, such approval to be signified in writing, under the hand of one of the Secretaries to the said Governor of Madras in Council.

Directors may pass bye-laws;

Which may be dealt with by general meeting of proprietors.

Must be sanctioned by Government.

41. In the construction of this Act words in the singular number shall include the plural, words in the plural shall include the singular, and words in the masculine gender shall include the feminine, except where the contrary appears by the context.

Interpretation clause.

42. This Act shall be deemed to have come into operation on the 1st of March 1862.

Act to operate from 1st March 1862.

SCHEDULE (A.)

I, *A. B.*, of do hereby transfer to *C. D.*, of consolidated stock of the Bank of Madras, to the amount of rupees, standing in my name, to hold unto the said *C. D.*, his executors, administrators, representatives, or assigns, subject to the conditions on which I hold the same at the time of the execution hereof.

Date the day of

Financial Department.—No. 99 of 1862.

To the Right Hon. Sir *Charles Wood*, Bart., M. P., Secretary of State for India.

Sir,

IN continuation of our Despatch in this department, No. 51, dated the 25th of March last, we have the honour to transmit herewith for your information a copy of our proceedings noted in the margin,* from which it will be seen that our arrangements with the Bank of Bengal regarding the establishment of branch banks at Mirzapore, Benares, Patna, Dacca, and Rangoon, settled previous to the receipt of your financial Despatch, No. 55, dated the 8th April last, have now been finally concluded.

* Financial Department Notifications, Nos. 105 and 106, dated 24th ult., and No. 109, dated 1st inst.

2. The Madras and Bombay Bank charters have not been passed into law yet. We understand, from a letter received from the Government of Bombay, that the draft of the Bombay Bank Charter has been submitted to you by that Government for orders.

We have, &c.

Elgin & Kincardine.
R. Napier.
H. B. Harington.
W. Grey.

Fort William, 3 July 1862.

Enclosures to No. 99 of 1862.

Financial Department, Fort William, 24 June 1862.

(No. 105.)

NOTIFICATIONS.

NOTICE is hereby given, that the Treasuries of the Secretary of State for India in Council, and of Her Majesty's Indian Government at the stations of Patna and Dacca, shall, from and after the 1st day of July 1862, be established at the Branch Banks opened at those stations by the Bank of Bengal. All payments to be made by or to the Secretary of State in Council, or to the Government of India, or the Government of Bengal, at the Treasuries of Patna and Dacca aforesaid, shall and may from and after the above-mentioned date be made at the said Branches of the Bank of Bengal.

The terms on which the business of the said Treasuries, and the Government Paper Currency shall be conducted by the Branches of the Bank of Bengal are contained in the following:—

AGREEMENT WITH THE BANK OF BENGAL.

ARTICLES OF AGREEMENT made the second day of May in the year of our Lord 1862, between the Secretary of State for India in Council of the one part and the Bank of Bengal of the other part: Whereas, by the Act XIX. of 1861 of the Legislative Council of India, certain provisions have been made for the establishment of a paper currency and the payment of the Government promissory notes to be issued in virtue of the said Act, and the Governor-General in Council was thereby authorised to establish in British India circles of issue, and in each circle to appoint some one city or town to be the place of issue of notes; and by the said Act it was declared lawful for the Governor-General in Council, from time to time, by rules to be published in the "Government Gazette," to make such arrangements through any officers of Government, or with any persons, banks, or bodies corporate as might be required to regulate and facilitate the issue and payment of the said promissory notes: And whereas, by a Memorandum of Agreement bearing date the twenty-sixth day of September 1861, and made between the parties hereto, certain terms were agreed to, having for their object the transfer to the said Bank of the business of the Government Treasury at Fort William, and the superintendence and management by the said Bank for the Government of India of the issue of the Government paper currency for the circle of issue of Calcutta; and it was thereby, amongst other things, agreed that, if at any time during the continuance of that Agreement the said Bank should establish a branch office at any town or place other than Calcutta, and the Governor General of India should offer to the Directors of the said Bank for the time being, and they should, on behalf of the said Bank, accept the business of bankers to the Government of India for the district or locality within which such branch should be established, or the business of issuing and circulating the Government paper currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank should be carried on under and subject to the provisions of that Agreement, and on the basis of certain clauses cited in the margin thereof, being the third and fifth paragraphs of the Government Memorandum of the twentieth of March 1861, relating to the establishment of such Branch Banks, except in so far as the provisions of that Agreement, or of the said clauses, might be modified or altered by any special Agreement which the parties thereto might enter into in reference to the business so to be carried on at the particular Branch Bank: And whereas the Bank of Bengal are about to establish a Branch Bank at (amongst other places) Patna, and the Governor General in Council has offered to the said Bank (who have accepted the same) the business of bankers to the Government of India for the district of Patna, and the terms on which such business shall be performed have now been finally settled and arranged between the Governor General in Council (acting in the premises on behalf of the said Secretary of State) and the Directors of the said Bank: Now, these presents witness that, for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these presents respectively to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Bengal, doth and do hereby for himself and themselves and his and their respective successors, covenant and agree with the other of them and their and his respective successors in manner following, that is to say:—

1. That the Bank of Bengal shall and will forthwith establish a Branch Bank at Patna, and will provide themselves with suitable offices and buildings in the said city in a situation as near to the Revenue and other public offices as conveniently may be.

2. That, from and after the day to be appointed by notification as hereinafter mentioned, the business of receiving and paying money on behalf of the Supreme Government of India and the Government of Bengal, heretofore transacted at the Collectorate of the said station of Patna, shall be carried on and transacted by the Branch of the Bank of Bengal so to be established at Patna as aforesaid, subject to the provisions of this Agreement and to such orders and directions with regard to receipts and payments as may, from time to time,

time, be given to the said Branch Bank, or to the Bank of Bengal, by the Governor General in Council, or any of the officers of the Government of India or of the Government of Bengal authorised in that behalf; and, for the purpose aforesaid, such account or accounts shall be opened in their books by the said Branch Bank with the Government of India and the Government of the North-Western Provinces as the said Government of India shall, from time to time, direct.

3. That, from and after the day so to be appointed by notification as aforesaid, the cash balance then in the Government Treasury at Patna shall be deposited with the Branch Bank at Patna, who shall also thereafter receive and hold for the said Government of India and Government of Bengal respectively, and subject to the order of these Governments respectively, all moneys and balances which, but for these presents, would have been received or held by the Collector of the district of Patna, and the said Branch Bank at Patna shall transact all such business for the Government of India and Government of Bengal respectively, regarding the receipt, collection, payment, and remittance of money and securities and other matters as is usually transacted by bankers for their customers, or shall be *bonâ fide* required for the exigencies of the Government and for all Departments of the Public Service at the station of Patna, and also all such business regarding the receipt, collection, payment, and remittance of money and securities for and on behalf of officers in the different Government Departments as has heretofore been usually transacted by the Collector of Patna, and shall and will transact all such last-mentioned business in such manner, in respect both of Government and individual officers of Government, as may be, from time to time, required by the existing orders of Government, after due notice thereof given by the Collector to the said Branch Bank.

4. That, from and after the day appointed in the notification aforesaid, the said Secretary of State in Council shall pay to the said Branch Bank the actual costs and expenses of packing and remitting specie under the preceding clause, and for which costs and expenses contingent bills shall, from time to time, be submitted to the Civil Paymaster of Bengal for the time being, and be passed by him on approval, and shall further pay to the Bank of Bengal the yearly sum of 3,060 rupees in full of all costs and expenses attendant on the maintenance by the said Bank of the establishment of clerks and servants necessary for the carrying on of the said Government banking account and business at the said Branch Bank at Patna, and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

5. That so long as the average cash balance for any month in the hands of the said Branch Bank at Patna shall not exceed the average amount of five lacs of rupees, the said Branch Bank shall be at liberty to use and employ such balance, subject to the provisions of the Charter Act of the Bank of Bengal, or any future Act relating to the said Bank, and to appropriate the profit arising from such employment, without being charged with any interest in account: Provided always, that it shall be in the power of the Directors of the Bank of Bengal, with the sanction of his Excellency the Governor General in Council, to alter, modify, or increase the proportion of the aforesaid balance to be specially set aside for cashing notes herein provided.

6. That, when and so often as the monthly average cash balance shall exceed five lacs of rupees, the Bank of Bengal shall forthwith set aside such excess or surplus in cash, to be kept in a separate reserve, on account and subject to the instructions of the Government of Bengal, or shall, at the option of the Directors and at the risk of the Bank, invest such excess or surplus, on account of the Government of Bengal, either in the purchase of Government securities or railway debentures guaranteed by Government in the name of the Collector of the district of Patna or of such other officers as the Government of Bengal shall, from time to time, direct, or in the discount of Government acceptances or other claims against Government payable at Patna, and so that such excess or surplus shall be withdrawn from employment as part of the general funds of the Bank, and so on from time to time, as often as an uninvested surplus cash balance above five lacs of rupees shall, on the taking of the monthly average, appear to be in the hands of the Bank; and the said Bank of Bengal shall at all times be answerable and accountable to the Government of Bengal for the surplus cash balance for the time being so set apart, or invested at the risk of the Bank as regards realising the securities, and shall be entitled to draw and apply the interest, dividends, or profits from such investments to their own use; but the safe custody of such surplus cash balance, so long as the same shall remain uninvested, shall be at the exclusive risk of Government in the case of loss from war, disturbance, or unavoidable accident.

7. That, when and so often as the cash balance in the hands of the Branch Bank at Patna shall, on the taking of the monthly average, appear to have been less than the sum of three lacs of rupees, then, in addition to the profit which the said Bank may acquire by the employment of such balance free of interest, an additional allowance or remuneration, by way of compensation, shall be made to the Bank of Bengal by the payment by Government of interest on the difference between the amount of the actual balance of Government in the said Branch Bank, exclusive of the proportion specially set aside as a reserve for notes aforesaid, and the sum of three lacs of rupees, the interest being calculated at the average rate of interest paid by the public on fixed loans at the said Branch Bank during the month.

8. That all returns furnished by the said Branch Bank to the head office of the Bank of Bengal, as also all official reports of the Bank's Inspector on the said Branch, shall at all times be accessible to the Auditor appointed by the Government of India under Clause 5 of the Agreement with the Bank of Bengal, hereinbefore mentioned and in part recited, and it shall also be in the power of the Government of Bengal, at any time and as often as they may think fit, to cause the amount of cash in reserve held on account of the Government, and the accuracy of the Government balance in cash or securities, to be inspected and verified by any officer duly authorised for that purpose, but not otherwise to interfere with the ordinary banking operations carried on at the said Branch; and the report of such officer, if such as to require on the part of the said Bank an explanation, shall first be laid before the Directors of the Bank of Bengal, to enable them to furnish any explanation or further information touching any of the matters referred to in the report, and such report, together with the explanation, shall then be submitted to the Governor General in Council, whose order, decision, or finding on such report shall be binding and conclusive on the said Branch Bank and the Bank of Bengal respectively.

9. That the said Branch Bank, during the continuance of these presents, shall and will, to the utmost of their power, pay and satisfy, on demand, to the holders the amount of all Government currency notes duly issued within the Circle of Calcutta under the said Act XIX. of 1861, which shall be presented for payment or conversion into cash at the office of the Bank in Patna.

10. That the whole responsibility for any loss or damage that may be occasioned by, or arise in respect of, the wrongful payment, exchange or satisfaction, through mistake or otherwise, at or by the said Branch Bank, of any Government Currency Notes which ought not to be paid, exchanged, or satisfied, or of any forged or spurious Notes purporting to be Government Currency Notes, or in respect of the forgery or alteration of any Government Currency Notes, or in respect of any error or mistake committed by the said Branch Bank, or by any of its officers or agents, in conducting the Government Banking business at Patna aforesaid, shall, as between the said Secretary of State for India in Council and the said Bank of Bengal, rest solely and entirely with, and shall be borne by, the said Bank of Bengal, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for or in respect of any such loss.

11. That this Agreement and the powers and authorities herein contained, and the covenants hereby entered into shall come into operation from and after a day to be fixed by the Governor General in Council by notification in that behalf, which shall be published in the Calcutta and local "Government Gazette," within one calendar month from the date hereof, and continue for the term of five years from the 1st March 1862, at the expiration of which time the same shall and may, by notice in writing from the Governor General in Council to the Directors of the Bank of Bengal for the time being, be renewed with or without any modifications, as may be agreed on between the Governor General in Council and the said Directors.

Agreement with the Bank of Bengal.

Articles of Agreement made the second day of May, in the year of our Lord 1862, between the Secretary of State for India in Council of the one part, and the Bank of Bengal of the other part: Whereas by the Act XIX. of 1861, of the Legislative Council of India, certain provisions have been made for the establishment of a Paper Currency and the payment of the Government Promissory Notes to be issued in virtue of the said Act, and the Governor General in Council was thereby authorised to establish in British India, Circles of Issue, and in each circle to appoint some one city or town to be the place of issue of Notes, and by the said Act it was declared lawful for the Governor General in Council, from time to time, by rules to be published in the "Government Gazette," to make such arrangements through any officers of Government, or with any persons, Banks, or bodies corporate as might be required to regulate and facilitate the issue and payment of the said Promissory Notes: And whereas, by a Memorandum of Agreement, bearing date the 26th day of September 1861, and made between the parties hereto, certain terms were agreed to, having for their object the transfer to the said Bank of the business of the Government Treasury, at Fort William, and the superintendence and management by the said Bank for the Government of India, of the issue of the Government Paper Currency for the Circle of Issue of Calcutta, and it was thereby, amongst other things, agreed that, if at any time during the continuance of that Agreement, the said Bank should establish a branch office at any town or place other than Calcutta, and the Governor General of India should offer to the Directors of the said Bank for the time being, and they should, on behalf of the said Bank, accept the business of bankers to the Government of India for the district or locality within which such branch should be established, or the business of issuing and circulating the Government Paper Currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank, should be carried on under and subject to the provisions of that Agreement, and on the basis of certain clauses cited in the margin thereof, being the third and fifth paragraphs of the Government Memorandum of the 20th of March 1861, relating to the establishment of such Branch Banks, except in so far as the provisions of that Agreement, or of the said clauses, might be modified or altered by any special Agreement which the parties thereto might enter

enter into in reference to the business so to be carried on at the particular Branch Bank: And whereas the Bank of Bengal are about to establish a Branch Bank at (amongst other places) Dacca, and the Governor General in Council has offered to the said Bank (who have accepted the same) the business of Bankers to the Government of India for the district of Dacca; and the terms on which such business shall be performed have now been finally settled and arranged between the Governor General in Council (acting in the premises on behalf of the said Secretary of State) and the Directors of the said Bank: Now, these presents witness that for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these presents respectively to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Bengal, doth and do hereby for himself and themselves, and his and their respective successors, covenant and agree with the other of them and their and his respective successors in manner following, that is to say:—

1. That the Bank of Bengal shall and will forthwith establish a Branch Bank at Dacca, and will provide themselves with suitable offices and buildings in the said city in a situation as near to the Revenue and other public offices as conveniently may be.

2. That from and after the day to be appointed by notification as hereinafter mentioned, the business of receiving and paying money on behalf of the Supreme Government of India and the Government of Bengal, heretofore transacted at the Collectorate of the said station of Dacca, shall be carried on and transacted by the Branch of the Bank of Bengal so to be established at Dacca as aforesaid, subject to the provisions of this Agreement, and to such orders and directions with regard to receipts and payments as may, from time to time, be given to the said Branch Bank, or to the Bank of Bengal, by the Governor General in Council, or any of the officers of the Government of India, or of the Government of Bengal, authorised in that behalf; and for the purpose aforesaid such account or accounts shall be opened in their books by the said Branch Bank with the Government of India and the Government of Bengal, as the said Government of India shall, from time to time, direct.

3. That from and after the day so to be appointed by notification as aforesaid, the Cash Balance then in the Government Treasury at Dacca, shall be deposited with the Branch Bank at Dacca, who shall also thereafter receive and hold for the said Government of India and Government of Bengal, respectively, and subject to the order of these Governments, respectively, all monies and balances which, but for these presents would have been received or held by the Collector of the district of Dacca; and the said Branch Bank at Dacca shall transact all such business for the Government of India and Government of Bengal, respectively, regarding the receipt, collection, payment, and remittance of money and securities, and other matters, as is usually transacted by bankers for their customers, or shall be *bonâ fide* required for the exigencies of the Government, and for all Departments of the Public Service at the station of Dacca; and also all such business regarding the receipt, collection, payment, and remittance of money and securities for and on behalf of officers in the different Government Departments as has heretofore been usually transacted by the Collector of Dacca; and shall and will transact all such last-mentioned business in such manner, in respect both of Government and individual officers of Government, as may be, from time to time, required by the existing orders of Government, after due notice thereof given by the Collector to the said Branch Bank.

4. That from and after the day appointed in the notification aforesaid, the said Secretary of State in Council shall pay to the said Branch Bank the actual costs and expenses of packing and remitting specie under the preceding clause, and for which costs and expenses, Contingent Bills, shall, from time to time, be submitted to the Civil Paymaster of Bengal for the time being, and be passed by him on approval; and shall further pay to the Bank of Bengal the yearly sum of 2,148 rupees in full of all costs and expenses attendant on the maintenance by the said Bank of the establishment of clerks and servants necessary for the carrying on of the said Government Banking Account and business at the said Branch Bank at Dacca; and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

5. That so long as the average Cash Balance for any month in the hands of the said Branch Bank at Dacca shall not exceed the average amount of two and a half lacs of rupees, the said Branch Bank shall be at liberty to use and employ such balance, subject to the provisions of the Charter Act of the Bank of Bengal, or any future Act relating to the said Bank, and to appropriate the profit arising from such employment, without being charged with any interest in account: Provided always, that it shall be in the power of the Directors of the Bank of Bengal, with the sanction of his Excellency the Governor General in Council, to alter, modify, or increase the proportion of the aforesaid balance to be specially set aside for cashing Notes herein provided.

6. That when and so often as the monthly average Cash Balance shall exceed two and a half lacs of rupees, the Bank of Bengal shall forthwith set aside such excess or surplus in cash, to be kept in a separate reserve, on account and subject to the instructions of the Government of Bengal; or shall, at the option of the Directors, and at the risk of the Bank, invest such excess or surplus (on account of the Government of Bengal), either in the purchase of Government Securities or Railway Debentures guaranteed by Government in

the name of the Collector of the district of Dacca, or of such other officer as the Government of Bengal shall, from time to time, direct; or in the discount of Government acceptances or other claims against Government payable at Dacca, and so that such excess or surplus shall be withdrawn from employment as part of the General Funds of the Bank, and so on, from time to time, as often as an uninvested surplus Cash Balance above two and a half lacs of rupees shall, on the taking of the monthly average, appear to be in the hands of the Bank; and the said Bank of Bengal shall at all times be answerable and accountable to the Government of Bengal for the surplus Cash Balance for the time being so set apart, or invested at the risk of the Bank as regards realising the securities, and shall be entitled to draw and apply the interest, dividends, or profits arising from such investments to their own use; but the safe custody of such surplus Cash Balance, so long as the same shall remain uninvested, shall be at the exclusive risk of Government in case of loss from war, disturbance, or unavoidable cause.

7. That when and so often as the Cash Balance in the hands of the Branch Bank at Dacca shall, on the taking of the monthly average, appear to have been less than the sum of one and a half lacs of rupees, then, in addition to the profit which the said Bank may acquire by the employment of such balance, free of interest, an additional allowance or remuneration by way of compensation, shall be made to the Bank of Bengal by the payment by Government of interest on the difference between the amount of the actual balance of Government in the said Branch Bank, exclusive of the proportion specially set aside as a reserve for Notes aforesaid, and the sum of one and a half lacs of rupees, the interest being calculated at the average rate of interest paid by the public on fixed loans at the said Branch Bank during the month.

8. That all returns furnished by the said Branch Bank to the head office of the Bank of Bengal, as also all official reports of the Bank's Inspector on the said branch, shall, at all times, be accessible to the Auditor appointed by the Government of India under Clause 5 of the Agreement with the Bank of Bengal, hereinbefore-mentioned and in part recited; and shall also be in the power of the Government of Bengal, at any time and as often as they may think fit, to cause the amount of cash reserve held on account of the Government, and the accuracy of the Government balance in cash or securities, to be inspected and verified by any officer duly authorised for that purpose, but not otherwise to interfere with the ordinary banking operations carried on at the said branch, and the report of such officer, if such as to require on the part of the said Bank an explanation, shall first be laid before the Directors of the Bank of Bengal, to enable them to furnish any explanation or further information touching any of the matters referred to in the report, and such report, together with the explanation, shall then be submitted to the Governor General in Council, whose order, decision, or finding on such report shall be binding and conclusive on the said Branch Bank and the Bank of Bengal, respectively.

9. That the said Branch Bank, during the continuance of these presents, shall and will, to the utmost of their power, pay and satisfy on demand, to the holders, the amount of all Government Currency Notes duly issued within the Circle of Calcutta under the said Act XIX. of 1861, which shall be presented for payment or conversion into cash at the office of the Bank in Dacca.

10. That the whole responsibility for any loss or damage that may be occasioned by, or arise in respect of, the wrongful payment, exchange, or satisfaction, through mistake or otherwise, at or by the said Branch Bank, for any Government Currency Notes which ought not to be paid, exchanged, or satisfied, or of any forged or spurious Notes purporting to be Government Currency Notes, or in respect of the forgery or alteration of any Government Currency Notes, or in respect of any error or mistake committed by the said Branch Bank, or by any of its officers or agents, in conducting the Government Banking business at Dacca aforesaid, shall, as between the said Secretary of State for India in Council and the said Bank of Bengal, rest solely and entirely with, and shall be borne by, the said Bank of Bengal, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for or in respect of any such loss.

11. That this Agreement, and the powers and authorities herein contained, and the covenants hereby entered into shall come into operation from and after a day to be fixed by the Governor General in Council by notification in that behalf, which shall be published in the Calcutta and Local "Government Gazette," within one calendar month from the date hereof, and continue for the term of five years from the 1st March 1862, at the expiration of which time the same shall and may, by notice in writing from the Governor General in Council to the Directors of the Bank of Bengal for the time being, be renewed, with or without any modifications, as may be agreed on between the Governor General in Council and the said Directors.

(No. 106.)

NOTICE is hereby given, that the Treasuries of the Secretary of State for India in Council and of Her Majesty's Indian Government at the stations of Mirzapore and Benares, shall, from and after the 1st day of August 1862, be established at the Branch Banks opened at those stations by the Bank of Bengal. All payments to be made by, or to the Secretary of State in Council, or to the Government of India, or the Government of the North-Western Provinces

Provinces at the Treasuries of Mirzapore and Benares aforesaid, shall and may, from and after the above-mentioned date, be made at the said Branches of the Bank of Bengal.

The terms on which the business of the said Treasuries and the Government Paper Currency shall be conducted by the Branches of the Bank of Bengal are contained in the following:—

Agreement with the Bank of Bengal.

Articles of Agreement made the seventeenth day of April, in the year of our Lord 1862, between the Secretary of State for India in Council of the one part and the Bank of Bengal of the other part: Whereas by the Act XIX. of 1861 of the Legislative Council of India, certain provisions have been made for the establishment of a Paper Currency and the payment of the Government Promissory Notes, to be issued in virtue of the said Act, and the Governor General in Council was thereby authorised to establish in British India Circles of Issue, and in each circle to appoint some one city or town to be the place of issue of Notes, and by the said Act it was declared lawful for the Governor General in Council, from time to time, by rules to be published in the "Government Gazette," to make such arrangements through any officers of Government, or with any persons, banks, or bodies corporate as might be required to regulate and facilitate the issue and payment of the said promissory notes: And whereas by a Memorandum of Agreement bearing date the twenty-sixth day of September 1861, and made between the parties hereto, certain terms were agreed to having for their object the transfer to the said Bank of the business of the Government Treasury at Fort William, and the superintendence and management by the said Bank for the Government of India, of the issue of the Government Paper Currency for the Circle of Issue of Calcutta, and it was thereby, amongst other things, agreed that if at any time during the continuance of that Agreement, the said Bank should establish a Branch Office at any town or place other than Calcutta, and the Governor General of India should offer to the Directors of the said Bank for the time being, and they should, on behalf of the said Bank, accept the business of Bankers to the Government of India for the district or locality within which such Branch should be established, or the business of issuing and circulating the Government Paper Currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank should be carried on under and subject to the provisions of that Agreement, and on the basis of certain Clauses cited in the margin thereof, being the third and fifth paragraphs of the Government Memorandum of the twentieth of March 1861, relating to the establishment of such Branch Banks, except in so far as the provisions of that Agreement, or of the said Clauses, might be modified or altered by any special agreement which the parties thereto might enter into in reference to the business so to be carried on at the particular Branch Bank: And whereas the Bank of Bengal are about to establish a Branch Bank at (amongst other places) Mirzapore, and the Governor General in Council has offered to the said Bank (who have accepted the same) the business of Bankers to the Government of India for the district of Mirzapore, and the terms on which such business shall be performed have now been finally settled and arranged between the Governor General in Council (acting in the premises on behalf of the said Secretary of State) and the Directors of the said Bank: Now these Presents witness that for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these Presents respectively, to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Bengal, doth and do hereby for himself and themselves, and his and their respective successors, covenant and agree with the other of them, and their and his respective successors, in manner following, that is to say:—

1. That the Bank of Bengal shall and will forthwith establish a Branch Bank at Mirzapore, and will provide themselves with suitable offices and buildings in the said city, in a situation as near to the Revenue and other public offices as conveniently may be.

2. That from and after the day to be appointed by notification as hereinafter mentioned, the business of receiving and paying money on behalf of the Supreme Government of India and the Government of the North-Western Provinces, heretofore transacted at the Collectorate of the said station of Mirzapore, shall be carried on and transacted by the Branch of the Bank of Bengal so to be established at Mirzapore as aforesaid, subject to the provisions of this agreement, and to such orders and directions with regard to receipts and payments as may from time to time be given to the said Branch Bank, or to the Bank of Bengal, by the Governor General in Council or any of the officers of the Government of India or of the Government of the North-Western Provinces authorised in that behalf, and for the purpose aforesaid such account or accounts shall be opened in their books by the said Branch Bank with the Government of India and the Government of the North-Western Provinces, as the said Government of India shall from time to time direct.

3. That from and after the day so to be appointed by notification as aforesaid, the cash balance then in the Government Treasury at Mirzapore shall be deposited with the Branch Bank at Mirzapore, who shall also thereafter receive and hold for the said Government of India and Government of the North-Western Provinces respectively, and subject to the order of these Governments respectively, all moneys and balances which, but for these presents, would have been received or held by the collector of the district of Mirzapore; and the said Branch Bank at Mirzapore shall transact all such business for the Government of

India and Government of the North-Western Provinces respectively, regarding the receipt, collection, payment, and remittance of money and securities and other matters, as is usually transacted by bankers for their customers, or shall be *bonâ fide* required for the exigencies of the Government and for all Departments of the Public Service at the station of Mirzapore, and also all such business regarding the receipt, collection, payment, and remittance of money and securities for and on behalf of officers in the different Government Departments as has heretofore been usually transacted by the Collector of Mirzapore, and shall and will transact all such last-mentioned business in such manner, in respect both of Government and individual officers of Government, as may be from time to time required by the existing orders of Government, after due notice thereof given by the collector to the said Branch Bank.

4. That from and after the day appointed in the notification aforesaid, the said Secretary of State in Council shall pay to the said Branch Bank the actual costs and expenses of packing and remitting specie under the preceding clause, and for which costs and expenses contingent bills shall from time to time be submitted to the Civil Paymaster of the North-Western Provinces for the time being, and be passed by him on approval, and shall further pay to the Bank of Bengal the yearly sum of two thousand and seven hundred rupees in full of all costs and expenses attendant on the maintenance by the said Bank of the establishment of clerks and servants necessary for the carrying on of the said Government Banking Account and business at the said Branch Bank at Mirzapore, and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

5. That so long as the average cash balance for any month in the hands of the said Branch Bank at Mirzapore shall not exceed the average amount of three lacs seventy-eight thousand three hundred and eighteen rupees, the said Branch Bank shall be at liberty to use and employ such balance, subject to the provisions of the Charter Act of the Bank of Bengal, or any future Act relating to the said Bank, and to appropriate the profit arising from such employment, without being charged with any interest in account: provided always that it shall be in the power of the Directors of the Bank of Bengal, with the sanction of his Excellency the Governor General in Council, to alter, modify, or increase the proportion of the aforesaid balance to be specially set aside for cashing notes herein provided.

6. That when and so often as the monthly average cash balance shall exceed three lacs seventy-eight thousand three hundred and eighteen rupees, the Bank of Bengal shall forthwith set aside such excess or surplus in cash, to be kept in a separate reserve, on account and subject to the instructions of the Government of the North-Western Provinces, or shall, at the option of the directors, and at the risk of the Bank, invest such excess or surplus on account of the Government of the North-Western Provinces, either in the purchase of government securities or railway debentures guaranteed by Government in the name of the Collector of the district of Mirzapore, or of such other officer as the Government of the North-Western Provinces shall from time to time direct, or in the discount of Government acceptances or other claims against Government payable at Mirzapore, and so that such excess or surplus shall be withdrawn from employment as part of the general funds of the Bank, and so on, from time to time, as often as an uninvested surplus cash balance above three lacs seventy-eight thousand three hundred and eighteen rupees shall, on the taking of the monthly average, appear to be in the hands of the Bank, and the said Bank of Bengal shall at all times be answerable and accountable to the Government of the North-Western Provinces for the surplus cash balance for the time being so set apart or invested at the risk of the Bank as regards realising the securities, and shall be entitled to draw and apply the interest, dividends, or profits arising from such investments to their own use: but the safe custody of such surplus cash balance, so long as the same shall remain uninvested, shall be at the exclusive risk of Government in case of loss from war, disturbance, or unavoidable cause.

7. That when and so often as the cash balance in the hands of the Branch Bank at Mirzapore shall, on the taking of the monthly average, appear to have been less than the sum of two lacs eighty-three thousand seven hundred and thirty-nine rupees, then, in addition to the profit which the said Bank may acquire by the employment of such balance free of interest, an additional allowance or remuneration by way of compensation shall be made to the Bank of Bengal by the payment, by Government, of interest on the difference between the amount of the actual balance of Government in the said Branch Bank, exclusive of the proportion specially set aside as a reserve for notes aforesaid, and the sum of two lacs eighty-three thousand seven hundred and thirty-nine rupees; the interest being calculated at the average rate of interest paid by the public on fixed loans at the said Branch Bank during the month.

8. That all returns furnished by the said Branch Bank to the Head Office of the Bank of Bengal, as also all official reports of the Bank's Inspector on the said Branch, shall at all times be accessible to the auditor appointed by the Government of India under Clause 5 of the Agreement with the Bank of Bengal hereinbefore mentioned and in part recited; and it shall also be in the power of the Government of the North-Western Provinces, at any time and as often as they may think fit, to cause the amount of cash in reserve held on account of the Government, and the accuracy of the Government balance in cash or securities, to be inspected and verified by any officer duly authorised for that purpose, but not otherwise to interfere with the ordinary banking operations carried on at the said Branch

Branch; and the report of such officer, if such as to require on the part of the said Bank an explanation, shall first be laid before the Directors of the Bank of Bengal, to enable them to furnish any explanation or further information touching any of the matters referred to in the report; and such report, together with the explanation, shall then be submitted to the Governor General in Council, whose order, decision, or finding on such report shall be binding and conclusive on the said Branch Bank and the Bank of Bengal respectively.

9. That the said Branch Bank, during the continuance of these Presents, shall and will, to the utmost of their power, pay and satisfy, on demand, to the holders the amount of all Government Currency Notes duly issued within the circle of Calcutta under the said Act XIX. of 1861, which shall be presented for payment or conversion into cash at the office of the Bank in Mirzapore.

10. That the whole responsibility for any loss or damage that may be occasioned by, or arise in respect of, the wrongful payment, exchange, or satisfaction, through mistake or otherwise, at or by the said Branch Bank, of any Government Currency Notes which ought not to be paid, exchanged, or satisfied, or of any forged or spurious Notes purporting to be Government Currency Notes, or in respect of the forgery or alteration of any Government Currency Notes, or in respect of any error or mistake committed by the said Branch Bank, or by any of its officers or agents, in conducting the Government banking business at Mirzapore aforesaid, shall, as between the said Secretary of State for India in Council and the said Bank of Bengal, rest solely and entirely with and shall be borne by the said Bank of Bengal, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for or in respect of any such loss.

11. That this Agreement and the powers and authorities herein contained and the covenants hereby entered into shall come into operation from and after a day to be fixed by the Governor General in Council by notification in that behalf, which shall be published in the Calcutta and Local "Government Gazette," within one calendar month from the date hereof, and continue for the term of five years from the 1st March 1862, at the expiration of which time the same shall and may, by notice in writing from the Governor General in Council to the Directors of the Bank of Bengal for the time being, be renewed, with or without any modifications, as may be agreed on between the Governor General in Council and the said Directors.

Agreement with the Bank of Bengal.

Articles of Agreement made the second day of May, in the year of our Lord 1862, between the Secretary of State for India in Council of the one part and the Bank of Bengal of the other part: Whereas, by the Act XIX. of 1861 of the Legislative Council of India, certain provisions have been made for the establishment of a paper currency and the payment of the Government promissory notes to be issued in virtue of the said Act, and the Governor General in Council was thereby authorised to establish in British India Circles of Issue, and in each circle to appoint some one city or town to be the place of issue of notes, and by the said Act it was declared lawful for the Governor General in Council from time to time, by rules to be published in the "Government Gazette," to make such arrangements, through any officers of Government, or with any persons, banks, or bodies corporate, as might be required to regulate and facilitate the issue and payment of the said promissory notes: And whereas, by a Memorandum of Agreement bearing date the twenty-sixth day of September 1861, and made between the parties hereto, certain terms were agreed to, having for their object the transfer to the said Bank of the business of the Government Treasury at Fort William and the superintendence and management by the said Bank for the Government of India of the issue of the Government paper currency for the circle of issue of Calcutta, and it was thereby, amongst other things, agreed that if at any time during the continuance of that Agreement the said Bank should establish a Branch Office at any town or place other than Calcutta, and the Governor General of India should offer to the Directors of the said Bank for the time being, and they should, on behalf of the said Bank, accept the business of Bankers to the Goverment of India for the district or locality within which such Branch should be established, or the business of issuing and circulating the Government paper currency within such district or locality, then, and in every such case, the business so arranged to be taken up and performed by the said Bank should be carried on under and subject to the provisions of that Agreement, and on the basis of certain clauses cited in the margin thereof, being the third and fifth paragraphs of the Government Memorandum of the twentieth of March 1861 relating to the establishment of such Branch Banks, except in so far as the provisions of that Agreement, or of the said clauses, might be modified or altered by any special Agreement which the parties thereto might enter into in reference to the business so to be carried on at the particular Branch Bank: And whereas the Bank of Bengal are about to establish a Branch Bank at (amongst other places) Benares, and the Governor General in Council has offered to the said Bank (who have accepted the same) the business of Bankers to the Government of India for the district of Benares, and the terms on which such business shall be performed have now been finally settled and arranged between the Governor General in Council (acting in the premises on behalf of the said Secretary of State) and the Directors of the said Bank. Now these presents witness that, for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained,

tained, and by and on the part of the said parties to these Presents respectively to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Bengal, doth and do hereby for himself and themselves and his and their respecive successors, covenant and agree with the other of them and their and his respective successors in manner following, that is to say:—

1. That the Bank of Bengal shall and will forthwith establish a Branch Bank at Benares, and will provide themselves with suitable offices and buildings in the said city, in a situation as near to the Revenue and other public offices as conveniently may be.

2. That from and after the day to be appointed by notification as hereinafter mentioned the business of receiving and paying money on behalf of the Supreme Government of India and the Government of the North-Western Provinces, heretofore transacted at the Collectorate of the said station of Benares, shall be carried on and transacted by the Branch of the Bank of Bengal so to be established at Benares as aforesaid, subject to the provisions of this Agreement, and to such orders and directions with regard to receipts and payments as may from time to time be given to the said Branch Bank, or to the Bank of Bengal, by the Governor General in Council or any of the officers of the Government of India or of the Government of the North-Western Provinces authorised in that behalf; and for the purpose aforesaid such account or accounts shall be opened in their books by the said Branch Bank with the Government of India and the Government of the North-Western Provinces as the said Government of India shall from time to time direct.

3. That from and after the day so to be appointed by notification as aforesaid, the cash balance then in the Government Treasury at Benares shall be deposited with the Branch Bank at Benares, who shall also thereafter receive and hold for the said Government of India and Government of the North-Western Provinces respectively, and subject to the order of these Governments respectively, all moneys and balances which, but for these Presents, would have been received or held by the Collector of the district of Benares; and the said Branch Bank at Benares shall transact all such business for the Government of India and Government of the North-Western Provinces respectively regarding the receipt, collection, payment, and remittance of money and securities and other matters as is usually transacted by bankers for their customers, or shall be *bonâ fide* required for the exigencies of the Government and for all departments of the public service at the station of Benares, and also all such business regarding the receipt, collection, payment, and remittance of money and securities for and on behalf of officers in the different Government departments as has heretofore been usually transacted by the Collector of Benares, and shall and will transact all such last-mentioned business in such manner, in respect both of Government and individual officers of Government, as may be from time to time required by the existing orders of Government, after due notice thereof given by the Collector to the said Branch Bank.

4. That from and after the day appointed in the notification aforesaid, the said Secretary of State in Council shall pay to the said Branch Bank the actual costs and expenses of packing and remitting specie under the preceding clause, and for which costs and expenses contingent bills shall from time to time be submitted to the Civil Paymaster of the North-Western Provinces for the time being, and be passed by him on approval, and shall further pay to the Bank of Bengal the yearly sum of three thousand seven hundred and fifty rupees in full of all costs and expenses attendant on the maintenance by the said Bank of the establishment of clerks and servants necessary for the carrying on of the said Government banking account and business at the said Branch Bank at Benares; and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

5. That so long as the average cash balance for any month in the hands of the said Branch Bank at Benares shall not exceed the average amount of five lacs of rupees, the said Branch Bank shall be at liberty to use and employ such balance, subject to the provisions of the Charter Act of the Bank of Bengal, or any future Act relating to the said Bank, and to appropriate the profit arising from such employment, without being charged with any interest in account: provided always that it shall be in the power of the Directors of the Bank of Bengal, with the sanction of his Excellency the Governor General in Council, to alter, modify, or increase the proportion of the aforesaid balance to be specially set aside for cashing notes herein provided.

6. That when and so often as the monthly average cash balance shall exceed five lacs of rupees, the Bank of Bengal shall forthwith set aside such excess or surplus in cash, to be kept in a separate reserve, on account and subject to the instructions of the Government of the North-Western Provinces, or shall, at the option of the Directors and at the risk of the Bank, invest such excess or surplus on account of the Government of the North-Western Provinces, either in the purchase of Government securities or railway debentures guaranteed by Government in the name of the Collector of the district of Benares, or of such other officer as the Government of the North-Western Provinces shall from time to time direct, or in the discount of Government acceptances or other claims against Government payable at Benares, and so that such excess or surplus shall be withdrawn from employment as part of the general funds of the Bank, and so on from time to time as often as an uninvested surplus cash balance above five lacs of rupees shall, on the taking of the monthly average, appear to be in the hands of the Bank; and the said Bank of Bengal shall at all times be answerable and accountable to the Government of the North-Western Provinces for

for the surplus Cash Balance for the time being so set apart, or invested at the risk of the Bank as regards realising the securities, and shall be entitled to draw and apply the interest, dividends, or profits arising from such investments to their own use; but the safe custody of such surplus Cash Balance, so long as the same shall remain uninvested, shall be at the exclusive risk of Government in the case of loss from war, disturbance, or unavoidable accident.

7. That when and so often as the Cash Balance in the hands of the Branch Bank at Benares shall, on the taking of the monthly average, appear to have been less than the sum of three lacs of rupees, then, in addition to the profit which the said Bank may acquire by the employment of such balance free of interest, an additional allowance or remuneration by way of compensation shall be made to the Bank of Bengal, by the payment, by Government, of interest on the difference between the amount of the actual balance of Government in the said Branch Bank, exclusive of the proportion specially set aside as a reserve for notes aforesaid, and the sum of three lacs of rupees, the interest being calculated at the average rate of interest paid by the public on the fixed loans at the said Branch Bank during the month.

8. That all returns furnished by the said Branch Bank to the head office of the Bank of Bengal, as also all official reports of the Bank's Inspector on the said Branch, shall at all times be accessible to the auditor appointed by the Government of India under Clause 5 of the Agreement with the Bank of Bengal, hereinbefore mentioned and in part recited, and it shall also be in the power of the Government of the North Western Provinces, at any time and as often as they may think fit, to cause the amount of cash in reserve held on account of the Government, and the accuracy of the Government Balance in Cash or Securities, to be inspected and verified by any officer duly authorised for that purpose, but not otherwise to interfere with the ordinary banking operations carried on at the said Branch, and the report of such officer, if such as to require on the part of the said Bank an explanation, shall first be laid before the Directors of the Bank of Bengal, to enable them to furnish any explanation or further information touching any of the matters referred to in the report, and such report, together with the explanation, shall then be submitted to the Governor General in Council, whose order, decision, or finding on such report shall be binding and conclusive on the said Branch Bank and the Bank of Bengal respectively.

9. That the said Branch Bank, during the continuance of these presents, shall and will, to the utmost of their power, pay and satisfy, on demand, to the holders, the amount of all Government Currency Notes duly issued within the Circle of Calcutta under the said Act XIX. of 1861, which shall be presented for payment or conversion into cash at the office of the Bank in Benares.

10. That the whole responsibility for any loss or damage that may be occasioned by or arise in respect of the wrongful payment, exchange, or satisfaction, through mistake or otherwise, at or by the said Branch Bank, of any Government Currency Notes which ought not to be paid, exchanged, or satisfied, or of any forged or spurious notes purporting to be Government Currency Notes, or in respect of the forgery or alteration of any Government Currency Notes, or in respect of any error or mistake committed by the said Branch Bank, or by any of its officers or agents, in conducting the Government Banking business at Benares aforesaid, shall, as between the said Secretary of State for India in Council and the said Bank of Bengal, rest solely and entirely with, and shall be borne by, the said Bank of Bengal, who shall have no claim upon the said Secretary of State in Council, for compensation or indemnity for or in respect of any such loss.

11. That this Agreement, and the powers and authorities herein contained, and the covenants hereby entered into, shall come into operation from and after a day to be fixed by the Governor General in Council by notification in that behalf, which shall be published in the Calcutta and local Government Gazette within one calendar month from the date hereof, and continue for the term of five years from the 1st March 1862, at the expiration of which time the same shall and may, by notice in writing from the Governor General in Council to the Directors of the Bank of Bengal for the time being, be renewed, with or without any modifications, as may be agreed on between the Governor General in Council and the said Directors.

E. Drummond,
Secretary to the Government of India.

Financial Department, Fort William, 1 July 1862.

(No. 109.)

NOTIFICATION.

NOTICE is hereby given, that the Treasury of the Secretary of State for India in Council and of Her Majesty's Indian Government at the station of Rangoon shall, from and after the 1st day of August 1862, be established at the Branch Bank opened at that station by the Bank of Bengal. All payments to be made by or to the Secretary of State in Council, or to the Government of India, or the Chief Commissioner of British Burmah at the Treasury of Rangoon aforesaid, shall and may, from and after the above-mentioned date, be made at the said Branch of the Bank of Bengal.

The terms on which the business of the said Treasury shall be conducted by the Branch of the Bank of Bengal are contained in the following—

AGREEMENT WITH THE BANK OF BENGAL.

MEMORANDUM OF AGREEMENT made the twelfth day of June in the year of our Lord 1862, between the Secretary of State for India in Council of the one part and the Bank of Bengal of the other part: Whereas by an Agreement bearing date the twenty-sixth day of September 1861, and made between the parties hereto, certain terms were agreed to, having for their object the transfer to the said Bank of the business of the Government Treasury at Fort William, and the superintendence and management by the said Bank for the Government of India of the issue of the Government Paper Currency for the Circle of Issue of Calcutta; and it was thereby, amongst other things, agreed that if at any time during the continuance of that Agreement the said Bank should establish a Branch Office at any town or place other than Calcutta, and the Governor General of India should offer to the Directors of the said Bank for the time being, and they should, on behalf of the said Bank, accept the business of Bankers to the Government of India for the district or locality within which such Branch should be established, then, and in every such case, the business so arranged to be taken up and performed by the said Bank should be carried on, under, and subject to the provisions of that Agreement, and on the basis of certain Clauses cited in the margin thereof, being the third and fifth paragraphs of the Government Memorandum of the twentieth of March 1861, relating to the establishment of such Branch Banks, except in so far as the provisions of that Agreement, or of the said Clauses, might be modified or altered by any special Agreement which the parties thereto might enter into in reference to the business so to be carried on at the particular Branch Bank: And whereas the Bank of Bengal have established a Branch Bank at (amongst other places) Rangoon, and the Governor General in Council has offered to the said Bank (who have accepted the same) the business of Bankers to the Government of India for British Burmah, and the terms on which such business shall be performed have been settled and arranged between the Governor General in Council (acting in the premises on behalf of the said Secretary of State) and the Directors of the said Bank of Bengal: Now these Presents witness, that for the purpose of carrying out the said arrangement, and in consideration of the payments and covenants hereinafter respectively mentioned and contained, and by and on the part of the said parties to these presents respectively to be paid and performed, each of them, the said Secretary of State in Council and the said Bank of Bengal, doth and do hereby for himself and themselves, and his and their respective successors, covenant and agree with the other of them and their and his respective successors in manner following, that is to say:—

1. That the Bank of Bengal shall and will, from and after the time when and during the terms for which this Agreement shall come and continue in operation as hereinafter provided, keep up a Branch Bank at Rangoon, and provide suitable offices and buildings in the town of Rangoon, in a situation as near to the Revenue and other Public Offices of Government at Rangoon as conveniently may be.

2. That from and after the day to be appointed by notification as hereinafter mentioned, the business of receiving and paying money on behalf of the Supreme Government of India and the Chief Commissioner of British Burmah, respectively, heretofore transacted by the Deputy Commissioner of the said district of Rangoon, shall be carried on and transacted by the Branch Bank so established and to be kept up by the Bank of Bengal at Rangoon as aforesaid, subject to the provisions of this Agreement, and to such orders and directions with regard to receipts and payments as may from time to time be given to the said Branch Bank, or to the Bank of Bengal, by the Governor General in Council, or the Chief Commissioner of British Burmah, or any of the Officers of the Government of India authorised in that behalf, and for the purpose aforesaid such account or accounts shall be opened in their books by the said Branch Bank with the Government of India and the Chief Commissioner of British Burmah, as the Government of India shall from time to time direct.

3. That from and after the day so to be appointed by notification as aforesaid, the Cash Balance then in the Government Treasury at Rangoon shall be deposited with the Branch Bank at Rangoon, who shall also thereafter receive and hold for the said Government of India and the Chief Commissioner of British Burmah, respectively, and subject to the orders of the said Government and Chief Commissioner, respectively, all monies and balances which, but for these presents, would have been received or held by the Deputy Commissioner of the district of Rangoon, and the said Branch Bank at Rangoon shall transact all such business for the Government of India and the Chief Commissioner of British Burmah, respectively, regarding the receipt, collection, payment, and remittance of money and securities and other matters as is usually transacted by bankers for their customers, or shall be *bonâ fide* required for the exigencies of the Government and for all Departments of the Public Service at the station of Rangoon, and also all such business regarding the receipt, collection, payment, and remittance of money and securities for and on behalf of officers in the different Government Departments as has heretofore been usually transacted by the Deputy Commissioner of Rangoon, and shall and will transact all such last-mentioned business in such manner, in respect both of Government and individual Officers of Government, as may be from time to time required by the orders for the time being of Government, after due notice thereof given by the said Deputy Commissioner to the said Branch Bank.

4. That

4. That from and after the day appointed in the notification aforesaid, the said Secretary of State in Council shall pay to the said Branch Bank the actual cost and expenses of packing and remitting specie under the preceding clause, and for which costs and expenses Contingent Bills shall, from time to time, be submitted to the Civil Paymaster of the Government of India for the time being, and be passed by him on approval, and shall further pay to the Bank of Bengal the yearly sum of 1,932 rupees in full of all costs and expenses attendant on the maintenance at the said Branch Bank of the establishment of clerks and servants necessary for the carrying on of the said Government Banking Account and business at the said Branch Bank at Rangoon, and the Bank shall not charge any interest or commission on the said account, except under such arrangement as in the next following clause mentioned.

5. That so long as the average Cash Balance for any month in the hands of the said Branch Bank at Rangoon shall not exceed the average amount of four lacs of rupees, the said Branch Bank shall be at liberty to use and employ such balance, subject to the provisions of the Charter Act of the Bank of Bengal, or any future Act relating to the said Bank, and to appropriate the profit arising from such employment, without being charged with any interest in account.

6. That when and so often as the said monthly average Cash Balance shall exceed four lacs of rupees, the said Branch Bank shall forthwith set aside such excess or surplus in cash, to be kept in a separate reserve, on account and subject to the instructions of the Government of India, or the Chief Commissioner of British Burmah, respectively, or shall, at the option of the Directors, and at the risk of the Bank of Bengal, invest such excess or surplus on account of the Government of India, either in the purchase of Government Securities or Railway Debentures guaranteed by Government in the name of the Deputy Commissioner of the District of Rangoon, or of such other officer as the said Chief Commissioner of British Burmah shall from time to time direct, or in the discount of Government acceptances or other claims against Government payable at Rangoon, and so that such excess or surplus shall be withdrawn from employment as part of the General Funds of the Bank, and so on, from time to time, as often as an uninvested surplus Cash Balance above four lacs of rupees shall, on the taking of the monthly average, appear to be in the hands of the Bank; and the said Bank of Bengal shall at all times be answerable and accountable to the Government of India, and the Chief Commissioner of British Burmah, respectively, for the surplus Cash Balance for the time being so set apart, or invested at the risk of the Bank as regards realising the securities, and shall be entitled to draw and apply the interest, dividends or profits arising from such investments to their own use, but the safe custody of such surplus Cash Balance, so long as the same shall remain uninvested, shall be at the exclusive risk of Government in case of loss from war, disturbance, or unavoidable cause.

7. That when and so often as the Cash Balance in the hands of the Branch Bank at Rangoon shall, on the taking of the monthly average, appear to have been less than the sum of two lacs of rupees, then, in addition to the profit which the said Bank may acquire by the employment of such Balance free of interest, an additional allowance or remuneration by way of compensation shall be made to the Bank of Bengal by the payment, by Government, of interest on the difference between the amount of the actual Balance of Government in the said Branch Bank, and the sum of two lacs of rupees, such interest to be calculated at the average rate of interest payable by the public on fixed loans to the said Branch Bank during the month.

8. That all returns furnished by the said Branch Bank to the head office of the Bank of Bengal, as also all official reports of the Bank's Inspector on the said Branch shall, at all times, be accessible to the Auditor appointed by the Government of India under Clause 5 of the General Agreement with the Bank of Bengal, hereinbefore mentioned and in part recited, and it shall also be in the power of the Government of India, and the Chief Commissioner of British Burmah, respectively, at any time, and as often as they may think fit, to cause the amount of cash in reserve held on account of the Government, and the accuracy of the Government Balance in Cash or Securities, to be inspected and verified by any officer duly authorised for that purpose, but not otherwise to interfere with the ordinary Banking operations carried on at the said Branch, and the report of such officer, if such as to require on the part of the said Bank an explanation, shall first be laid before the Directors of the Bank of Bengal to enable them to furnish any explanation or further information touching any of the matters referred to in the report, and such report, together with the explanation, shall then be submitted to the Governor General in Council, whose order, decision, or finding on such report shall be binding and conclusive on the said Branch Bank and the Bank of Bengal, respectively.

9. That the whole responsibility for any loss or damage which may result from, or arise in respect of, any error or mistake committed by the said Branch Bank, or by any of its officers or agents, in conducting the Government Banking business at Rangoon aforesaid, shall, as between the Secretary of State for India in Council and the said Bank of Bengal, rest solely and entirely with, and shall be borne by, the said Bank of Bengal, who shall have no claim upon the said Secretary of State in Council for compensation or indemnity for or in respect of any such loss or damage.

10. That this Agreement, and the powers and authorities herein contained, and the covenants hereby entered into shall come into operation, and shall continue in operation for the term of five years, from and after a day to be fixed by the Governor-General in Council by notification in that behalf, which shall be published in the Calcutta and Local Government Gazette, within one calendar month from the date hereof, and at the expiration of the said term the Agreement and the powers, authorities, and covenants herein contained may, by notice in writing from the Governor-General in Council to the Directors of the Bank of Bengal for the time being, be renewed, with or without any modifications, as may be agreed on between the Governor-General in Council and the said Directors.

By Order of His Excellency the Governor-General in Council,

E. Drummond,
Secretary to the Government of India.

Financial.—No. 158.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,
My Lord, London, 16 September 1862.

1. I HAVE received and considered in Council your Financial Letters, dated the 25th March, 21st and 31st May, and 3d July, 1862, Nos. 51, 71, 80, and 99.

2. These letters, together with the previous correspondence with your Government, may, I conclude, be regarded as furnishing tolerably full information relative to your arrangements,

1st. For transferring to Banks in India a considerable portion of the business hitherto transacted at the Government Treasuries; and,

2dly. For introducing a paper currency into India.

3. These subjects are totally distinct in their character, and I was most anxious to keep them altogether separate, but they have been mixed up to a considerable extent in the measures which you have adopted or proposed, and still more so in the views contained in many passages of the papers received from your Government.

4. I shall endeavour, in the observations which I have to make, to keep them as distinct as possible.

5. I will first advert to the arrangements as to the transfer of Government business to the Banks.

6. I have concurred in your proposal to make use of the agency of the Banks of Bengal, Madras, and Bombay for this purpose.

7. I observed, in my Financial Despatch of the 8th April 1862, No. 55, that the remuneration which you have agreed to give them seemed to me to be excessive. The banks were, however, entitled to compensation for the loss of their existing circulation, and as the arrangement is made and is to last only for five years, I will make no further remark on this point.

8. You have, moreover, also conceded to them two indirect advantages:—

1st. The Bank is relieved from the obligation to hold one quarter of its liabilities in specie.

2d. They are, for the first time, allowed to deal in foreign exchanges.

I shall defer my observations on both of these points till after I have adverted to the Currency arrangements.

9. The two important questions as regards the Currency are—

1. The principle on which the issues of paper are to be regulated; and,

2. The agency to which the management of the issues is to be entrusted, so as to obtain the best security for the steady maintenance of the principle of issue.

10. The principle for the regulation of the issues, contained in the Minute of Mr. Wilson, which was transmitted to me in a Financial Letter from the Governor General

General, dated the 29th December 1859, No. 2, was, that notes should be issued to the extent of three times the amount of the reserve of specie. This principle was disapproved in my Financial Despatch of the 26th March 1860, and I desired that what I believe to be the sound principle should be adopted, *i. e.*, that, with a fixed amount of notes issued on security, all the remainder must be issued only on specie deposited with the Department of Issue. This principle was embodied in the Act, No. 19 of 1861, "to provide for a Government Paper Currency," and has received the full approbation of Her Majesty's Government.

11. As regards the agency for the management of the Currency, you have departed widely from the plans proposed by the Government of India in 1859, and which have been entirely approved by Her Majesty's Government.

12. I have seen no reason to change the opinions on this subject which were conveyed to you in my Despatch of the 26th March 1860, No. 47, and in my further Despatches on the same subject. I disapprove of the manner in which you have arranged to make use of the agency of Banks for the purpose of the Currency, and I do not think that you have made sufficient provision for the conversion of the notes beyond Calcutta.

13. In both respects, the safety and success of the measure seem to me to be endangered by your plan.

14. The proposals of Mr. Lushington and of Mr. Wilson, both of which were recommended by the Government of India, contemplated only Government agency, and this view was distinctly and repeatedly sanctioned by Her Majesty's Government.

15. In Mr. Lushington's note of April, 1859 he suggested a plan for an issue of paper in three or four large circles in Bengal and the Upper Provinces of India, to be managed by Officers of Government.

16. In his Minute, dated the 25th December, 1859, Mr. Wilson expressed his conviction that the "only means" by which a note circulation could be extensively applied to India, and made a legal tender, was through the agency of the Government. He proposed that an establishment should be provided in connexion with the Mint, and should consist of a Currency Commission at Calcutta, its functions being confined to the manufacture of notes, and to the exchange of notes for coin and bullion, and that Bengal and the Upper Provinces should be divided into Currency circles, with such stations as Benares, Allahabad, and Delhi as their centres, a Deputy Commissioner being appointed for each circle. The notes were to be dated from the centre of the circles in which they were issued, and to be payable at Calcutta as well as at the place of issue. The notes were to be legal tender, and receivable at the Government Treasuries in payment of taxes.

17. Of this part of Mr. Wilson's plan, the approval of Her Majesty's Government was conveyed in my Financial Despatch to the Government of India, dated the 26th March, 1860, No. 47, (quoted below),* and it was therein stated, that the connexion between the paper issues and the Mint could not be too close, or be made too apparent.

18. The

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* Financial Despatch to India, dated 26th March 1860, No. 47:

"Para. 6. Her Majesty's Government are of opinion that in India the agency for providing and maintaining a paper circulation can best be conducted by the Government.

"9. Mr. Wilson very properly separates altogether the proposal for introducing a paper circulation in India from the consideration of establishing any banking corporation there. It cannot be too generally or too clearly understood that it is the intention of Her Majesty's Government, in sanctioning the introduction of a circulation of Government paper, to keep it entirely and altogether distinct and separate from any banking operations whatever. What is to be done by the Government Establishment in India is simply what is done by the Issue Department of the Bank of England, viz., to exchange notes for bullion and coin, and, *vice versâ*, or notes of one denomination for those of another.

"10. Her Majesty's Government are of opinion that the proposed establishment of a Currency Commission, the members thereof to be appointed by the Governor General in Council, but not to be removable, except with the concurrence of the Secretary of State; their functions to be strictly defined by an Act of the Legislature, with Commissioners at Madras and Bombay, and Deputy Commissioners in each of the currency circles into which it is proposed that the country should be divided, is well calculated to effect the object in view. They also approve of the intimate connexion which Mr. Wilson contemplates between the Mint and the management of the paper issues, and they think that this connexion cannot be too close, or be made too apparent."

18. The Report of the Select Committee of the Council of the Governor General on the Bill was subsequently sent home, and the Financial Letter from the Government of India, dated the 8th March 1861, No. 35, forwarded a copy of the Bill, as settled in Committee of the whole Council, together with the several Minutes of the Members of the Government thereon.

19. In Mr. Laing's Minute, it was stated that he considered that the best agency for issuing and paying the notes would, generally, be that of the existing Banks, wherever they had establishments, or might be disposed to open branches; and that arrangements were pending for transferring to the Bank of Bengal the cash balances and part of the business hitherto transacted at the Treasuries of the Government, arrangements which, he thought might, with great advantage to the Government, be extended to other Banks and Presidencies.

20. Mr. Beadon was in favour of making use "entirely of Government agency for the issue of notes."

21. The Government of India expressed no opinion on the subject.

22. In my Financial Despatch, dated the 2d May 1861, No. 75,* in referring to passages in the Report of the Committee and in the Minutes of the Members of your Government, I expressed very decidedly the opinion of Her Majesty's Government, that the issue of notes should be kept quite apart from any Banking establishment.

23. I cannot understand how, with full knowledge of all the previous correspondence, and with the passages quoted below taken in connexion with that correspondence, it could be supposed that I had given any sanction to the employment of the Banks as agents of the Government, for the issue of the notes, or of any connexion of the functions of Banking and Currency in one establishment.

24. I did not prohibit, in as many words, the employment of Banks by the Government as the agents of issue, because I never supposed that such a deviation from the consistent and uniform view contained in the Despatches from and to India, of the proper course to be taken in this respect, would have been made, before being submitted to me for my opinion and instructions.

25. It is, I believe, essential, in order to ensure an adherence to the established principle of issue, that it should not be left in the hands of a Bank.

26. The sound principle of issue may be said to have been established before the Committees of the two Houses of Parliament that sat in 1841, and was enforced by the Act of 1844.

27. The issue of notes, however, was, from a regard to existing interests and long usage, continued at the Bank of England, though in a separate department, and subjected to regulations which, if adhered to, would have maintained the recognized principle.

28. Twice, however, since 1844 the demands on the discount Branch of the Banking Department have been such, that the Government has been driven to authorize the Bank to depart from the recognized principle of issue, to infringe the legal restriction, and to issue notes beyond the amount which the specie in the Issue Department warranted. 29. Such

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* "Para. 29. It is provided by Clause IX. that notes shall be issued by the Commissioner to any person, in exchange for silver bullion or coin, at the prescribed rate, exactly, I presume, as silver coin would now be issued in exchange for bullion. I suppose that, under the arrangement proposed, the notes of the Bank of Bengal, being by a given day withdrawn, Government notes will be issued to the Bank as to any other person, in exchange for bullion or coin, and that the Bank will then use these notes precisely as it has hitherto used its own notes; if this be what is intended, I do not see for what they are to receive a certain payment.

"37. You have provided for the creation of Deputy Commissioners of Issue in the different Presidencies, and you have, very properly, given the Government the power of establishing, enlarging, and altering Circles of Issue in any part of India, and I see no reason why this power should not be exercised by establishing Deputy Commissioners of Issue in large towns which you may deem to be the most suitable centres of issue.

"33. The assaying of the bullion must be done by the Mint, and I do not understand how the verification of the notes can be entrusted to any but a Government officer."

29. Such a demand could not have been made on a Department of Government merely exchanging notes for specie and specie for notes.

30. The experience thus acquired has shown that the best, if not the only, mode of ensuring adherence to the established principle of issue is by totally separating the issue from any Banking establishment.

31. It was a strong conviction of this that guided Her Majesty's Government in the measures which were sanctioned for establishing a paper Currency in India, where there were no long-established interests or usages in existence. They believed it to be wise to entrust to Government agency, and to Government agency alone, the issue of paper, as well as of metallic, money, combining, as far as possible, both measures in the same Department of Government, and to leave to Banks only the exercise of legitimate Banking functions.

32. That notes, however issued, should, to a great extent, be brought into circulation through the Banks always appeared to me to be the natural and inevitable course of things, and I stated as much in paragraph 41 of my Financial Despatch of the 2d May 1861, No. 75.* I did not confine my observation to Banks, but included all traders for the transaction of whose business the use of notes might afford great convenience.

33. All money, whether coin or paper, is mainly brought into circulation by the operations of traders, and principally of bankers. This would be the case more especially when there were existing Banks whose power of issue was taken away. The only notes in circulation in Bengal were those of the Bank of Bengal. Those notes had, on their first issue, taken the place of coin, which would otherwise have been required for carrying on the business of the Bank, and when the notes of the Bank of Bengal were withdrawn, the notes of the Government must, as a matter of course (of necessity, I may almost say), take the place of the notes of the Bank of Bengal.

34. In this sense, I always contemplated, that it was through the Banks that paper money would, to a great extent, be brought into circulation, but this would be effected by the Banks, not as agents for Government, in respect of the Currency, but in the exercise of their legitimate Banking functions.

35. With regard to the practical arrangements for the issue of notes at Calcutta, I understand you to have provided for the issue of notes in exchange for specie at the Mint at Calcutta. I am of opinion that the office of the Commissioner of Issue, and the reserve of coin, as well as the means of verifying the notes, should be established at the Mint.

36. It is scarcely practicable to give you directions as to what precise steps should be taken, but you will distinctly understand that the principle to be acted upon is, as far as is consistent with actual engagements, to separate all connexion between the Bank and the issue of Paper Money, and ultimately to constitute the Mint the sole place at Calcutta for the issue of Paper, as well as of coined, money.

37. With regard to notes in other parts of the country, there would, according to your proposed arrangements, be no place but Calcutta where coin could be legally demanded for them, and as the cash balances of the Government Treasuries are to be handed over to the Banks, who, by a further part of your arrangement, are relieved from the necessity of holding any proportion of their liabilities in specie, it seems to me that there is no certain provision for the convertibility of the notes in places beyond Calcutta. Her Majesty's Government consider it indispensable for the success of the measure, that there should exist, in certain important places through the country, the power of demanding coin for notes, and it was with a view to this object that the creation of circles was proposed.

38. Such an arrangement of circles in fact exists in England. At the branches of the Bank of England at Manchester, Bristol, Leeds, &c., notes are issued bearing

* "I can quite understand, however, that the notes may be more readily brought into circulation through the medium of bankers, or indeed of other traders."

bearing the name of the place of issue, payment for which in gold may be demanded at the place where they are issued, as well as in London, but cannot be demanded at the other branches.

39. This latter provision is necessary as a protection against an unforeseen run on any one of the branches, but practically the notes issued by any one of these branches are cashed at any other, as well as in London, and the uniformity of the Bank of England currency throughout England is not affected.

40. A similar arrangement was contemplated for India in the formation of circles. It was intended that notes of the Government of India should be issued not only at Calcutta, but at Lahore, Lucknow, and other places, as the centres of circles, similar in all respects to notes issued at Calcutta, but bearing on them the name of the place where they were issued, and for which payment in coin could only be legally demanded at the place of their issue or at Calcutta. The Lahore or Lucknow stamp on a note would give it additional currency in its own neighbourhood, and the cases of notes being carried to distant parts of India would probably not be to a very great extent.

41. It might be possible that, in order to shake the credit of the Government for some political purposes, an extraordinary number of notes might be presented for payment at some one Branch, as, for instance, at Lahore. In such a case, the power of refusing to cash a note issued elsewhere, as at Lucknow, would afford a protection to Government, but in all ordinary cases a Lucknow note would be cashed at Lahore, and *vice versâ*.

42. What the number of circles should be, can be best decided by your Government, with the local knowledge at your command; but it does not appear how more than a very few large circles could be required.

43. I desire, therefore, that Deputy Commissioners may be appointed in such large towns as you may decide upon, and be empowered to exchange notes for coin, and *vice versâ*. It should not be obligatory by law for the Government officers at any one of these places to give coin for notes stamped or issued at other places, but in practice he should give it, if the coin in his possession would enable him to do so.

44. It should be obligatory, however, to give coin for all such notes at Calcutta, as well as at the place of issue.

45. If, as I anticipate, the convenience of Paper Money shall be appreciated in India, it will be for the interest of the Banks to use the notes so as to dispense with the encumbrance of large weights of silver, and with that object to obtain them from the Commissioners or Deputy Commissioners of Issue, and to keep them in circulation by cashing them in small amounts.

46. It is not by the notes being actually converted, but by general confidence in their convertibility, in case of need, and by their being receivable at all the Government Treasuries, that I anticipate the notes becoming part of the ordinary circulation of the country.

47. I apprehend nothing more is necessary to ensure an uniform currency throughout the Presidency of Bengal.

48. I have no wish to make any attempt to force the circulation of notes, which attempt would assuredly and deservedly fail. I wish to afford to the people of India the convenience of a circulation of notes, and I believe that an intelligent community will be sufficiently alive to the convenience of them, to be ready to avail themselves of the advantages thus placed within their reach.

49. I must now advert to a material point in connection with the privileges conceded to the Banks of Bengal and Madras, and, I suppose, of Bombay, viz., the power of dealing in foreign exchanges.

50. It appears to Her Majesty's Government to be very objectionable to allow Banks so intimately connected with the Government as these Banks, and which are entrusted with the custody of the Government balances, to deal in foreign exchanges. The Bank of England does not transact business of that description, which is, in fact, not banking, but speculative commercial business.

51. By

51. By Clause 5 of Act XXVII. of 1855, the Bank of Bengal was authorized, according to the instructions, and at the risk of their constituents, to remit the principal, interest, or dividends of Government securities by public or private bills, whether payable in India or not, and to do all acts necessary or proper for the purpose of making such remittances. But the power to deal in foreign exchanges was not necessary for that purpose.

52. The question of giving a power to deal in foreign exchanges to the Bank of Bengal, which is now proposed, was formerly and on different occasions considered, and that power was always withheld. It is still more objectionable to give it when, as proposed by you, the business of issue is, in a greater or less degree, connected with the business of the Bank.

53. Any Bank to which the balances and Treasury business of the Government are to be entrusted must be restricted to legitimate banking operations, such as those transacted by the Bank of England or by the Bank of Bengal as heretofore constituted.

54. This precaution is indispensable, for it cannot be conceived that a failure on the part of the Bank entrusted with the business of Government to cash a Government note or bill, or to pay any legal demand on the Government, would be held by the Native community to affect only the credit of the Bank. Her Majesty's Government consider that any such occurrence would inevitably be regarded as a failure on the part of the Government itself, and the utmost care must be taken to guard against the possibility of such a contingency.

55. I must desire, therefore, that you will not conclude the arrangement which you were about to make with the Bank of Agra, which deals in foreign exchanges, and Her Majesty's Government cannot sanction the concession which you have made to the Bank of Bengal of allowing it to deal in those exchanges. I have not, however, advised Her Majesty to disallow the Act IV. of 1862, which gives effect to your intention in this respect, in order to give you an opportunity of making provision for the other objects of the Act.

56. Her Majesty's Government are fully sensible of the advantages that would probably arise from the extension of banking arrangements throughout India, but they cannot see that, in order to attain this end, it is necessary to entrust the currency business to the banks. They consider that the establishment of Banks or branches in connexion with Government treasury business, in large towns throughout India, will materially further this object. They believe, also, that those establishments, in the transaction of their proper banking business, will afford great facilities for the introduction of the paper circulation, as, on the other hand, the paper circulation will give great facility for the banking arrangements.

57. Mr. Wilson truly observed that his scheme of currency was not inconsistent with the establishment of a large Bank like the Bank of England. It certainly appears to be preferable that the arrangements of Government should be made with one great Bank, with Government Directors, cognizant of all its transactions, because, in that case, a certain control of Government would be exercised, through the Government Directors, over all the proceedings of the Bank, in its branches, as well as at Calcutta.

58. You have not stated on what ground you have relieved the Bank from the necessity of holding one fourth of its liabilities in specie. The effect of this step, taken together with the transfer to the Banks of the Government balances, which were always held in specie, is to diminish the coin available for the convertibility of the notes; but as the measures for ensuring that convertibility are, in my opinion, ample, I shall not interfere with what you have done.

59. There is one other point put prominently forward in recommendation of that part of the scheme which relates to issuing notes on gold, *i.e.*, that it will effectually contribute to the introduction of a Gold Currency in India, on which I must make some remarks.

60. How that result is to be produced is not explained. All that can take place under this provision is, that gold may be deposited with the Issue Department, and paper money issued thereon. The gold will remain in deposit until it is required by the public for consumption in trade, or for export. When so

required, it will be taken from the Issue Department, and the notes taken out of circulation. In no case will the gold form part of the currency.

61. The only effect, therefore, likely to arise from that provision, if acted upon to any extent, is, that the paper circulation of India will be subjected to variations which would not have occurred with a circulation of silver, and of paper based on silver.

62. The question of introducing gold into circulation in India is a very important and very difficult one, but it has nothing to do with the issue of notes on gold.

63. The difficulties are of a practical nature, arising mainly from the uncertainty of the relative value of gold and silver, which is not likely to be determined while fresh discoveries of gold are being made.

64. If, by any change in the relative value of the precious metals, the sovereign and 10 silver rupees should become of equal intrinsic value, the introduction of gold would be of comparatively easy accomplishment. At present, however, Her Majesty's Government do not consider that it would be expedient to take any step with a view to that object.

65. The papers now received do not contain any explanation on a point referred to in my Financial Despatch dated the 8th April last, viz., how it is proposed to ascertain the amount of notes kept in circulation by the agency of the Bank. It is obviously easy, if the Bank were the only place of issue; but your scheme contemplates the possibility of issue in other ways, and I am, therefore, desirous of being informed how it is proposed to distinguish the notes kept in circulation through the different agencies. I do not understand that you contemplate allowing $\frac{3}{4}$ per cent. to any other person who may apply for notes, or, indeed, to the Bank of Bengal, for notes beyond those already issued to them and kept in circulation by them, according to the terms of your agreement with them. Any such further allowance certainly ought not to be made.

66. I am not aware of any other point which calls for remark.

67. It is unnecessary for me to give precise directions as regards Madras and Bombay, as the same reasoning and the same principles apply to those Presidencies as to Bengal. I do not quite understand in what state the arrangements are at Madras and Bombay, but Her Majesty's Government is desirous that the same course should be adopted for those Presidencies, as has been pointed out for Bengal. A copy of this Despatch will be sent to the Governments of Madras and Bombay, for their guidance in this respect, and in order that they may be in possession of the views of Her Majesty's Government.

I have, &c.
C. Wood.

(Financial.—No. 62, of 1862.)

To His Excellency the Honourable the Governor in Council, Fort St. George.

India Office,
London, 16 September 1862.

Sir,

I FORWARD for your information and guidance a copy of a Financial Despatch dated this day, No. 158, which I have addressed to the Government of India relative to the establishment of a Government Paper Currency for India, and to the agreements with the Banks of Bengal, Madras, and Bombay in reference thereto, and to the management of the Government Treasury business.

I have, &c.
C. Wood.

(Financial, No. 64.)

To His Excellency the Honourable the Governor in Council, Bombay.

India Office,
Sir, London, 16 September 1862.

With reference to your financial letter, dated the 12th May last, No. 6, transmitting a copy of the proposed Charter Act of the Bank of Bombay, I forward herewith for your information and guidance copy of a Despatch dated this day, No. 158, which I have addressed to the Government of India relative to the establishment of a Government Paper Currency for India, and to the agreements with the Banks of Bengal, Madras, and Bombay in reference thereto, and to the management of the Government Treasury business.

I have, &c.
C. Wood.

Financial Department.—No. 1, of 1863.

To the Right Hon. Sir *Charles Wood*, Bart., M. P., Her Majesty's Principal Secretary of State for India.

Sir, Fort William, 2 January 1863.

We have received your letter of the 16th September, No. 158, in which you discuss our arrangements for transferring the Treasury business to Banks, and for the introduction of a Paper Currency. These subjects, you say, have been confused together in the measures proposed and adopted by us, and still more in the views contained in papers received by you.

2. It is much to be regretted that ground has to some extent been given for the latter part of this conclusion, especially by the infelicitous wording of the agreement between the Government and the Bank of Bengal, throughout which the very important distinction between the words issue and circulation appears to have been overlooked. We think, however, that we are able to show that in our measures, we have adhered to the sound general principles laid down by you.

3. We propose first to consider the transfer of business to the Bank, which you have referred to in paragraphs 6 to 8, and paragraphs 49 to 59.

4. You observe that the remuneration which we have agreed to give the Banks seems excessive, but that as they were entitled to compensation for the loss of their circulation, and as the arrangement is made, and is to last only five years, you will make no further remark on this point; and none seems to be called for from this Government, unless it is pointed out that the payment was intended specially to cover all risks from fraud or erroneous payments, the expenses of managing the circulation, of moving specie, and of creating Branch Banks; in short, to save the probably higher cost which would have been incurred by Government for these objects, if the agency of the Bank had not been employed.

5. In paragraph 8 of your Despatch it is stated that (1) we have relieved the Bank from the obligation to hold one quarter of its liabilities in specie; and (2) have allowed them for the first time to deal in Foreign Exchanges.

(1). With regard to the first point, you observe that the grounds of the withdrawal of this obligation have not been stated, and that the effect of this step, taken together with the transfer of the Government balances which were always held in specie, is to diminish the coin available for the convertibility of the notes. But the convertibility of the Currency was regarded by this Government as secured, and altogether independent of any possible action on the part of the Bank. The concession was claimed by the Bank on the ground that with the withdrawal of the power to issue notes, and in consideration of the character of the business to which the Bank is restricted by its Charter, and of the direct control exercised by the Government Directors over its management, the necessity for the obligation had ceased to exist.

(2). As regards the 2d point, we entirely concur with your opinion as to the concession to the three Banks of any general power to deal in foreign exchanges. The Banks did not ask for, nor did the Government ever intend to grant, any such concession. We considered, however, that the Banks should be enabled to remit to England, in their own bills or by letters of credit, dividends received for their constituents in the Agency Department, which, it is important to bear in mind, is quite separate from the Banking Department, being, like the old Government Agency which it succeeded, entirely confined to business connected with Government Securities (of which about eight millions sterling are deposited with the Bank of Bengal); and as any measures calculated to facilitate remittances of this description must tend materially to improve the character of Indian Securities in the estimation of the English public, it is very desirable on that ground, as well as for public convenience, that this limited concession should not be withdrawn. The limitation depends on the 28th Section of the Charter Act which, under the above explanation of the distinct character of the Agency Department, is believed to be sufficiently restrictive, although its phraseology may seem somewhat loose, and it may be prudent to introduce into the bye-laws a distinct prohibition against all dealings in foreign exchanges proper.

6. With regard to the Currency arrangements, you charge this Government with having departed widely from the plans proposed by it in 1859 for the management of the Currency, which had been approved of by Her Majesty's Government, and you disapprove of the manner in which we have arranged to make use of the agency of Banks, and think that sufficient provision has not been made for the conversion of the notes beyond Calcutta.

7. On referring to the Agreement with the Bank (Sections 6-13), it cannot be denied that these remarks are justified to a considerable extent by the ambiguous terms which have been employed. Our practice, however, we think, fully accords in all essential particulars with the sound principle which you desire to maintain of a purely Government Agency of Issue: a fixed amount of notes being issued on security, and the remainder issued only on specie deposited with the Government Department of Issue. Not a note has been issued except by the Commissioner of Currency at the Mint on the deposit of coin or bullion. The Bank is not an agency for issue, but an agency for circulation after issue, and the course of things has been as follows.

8. The Bank of Bengal, as anticipated in your Despatch, No. 75, dated 2d May, 1861, withdrew its own notes as they came in from the 1st of last March, and substituted for them Currency Notes which it purchased from the Commissioner of Issue with its own funds, to the extent of 2,300,000 *l.*, and which it then retailed, as required, to the public at large; all idea of a monopoly of the circulation being excluded by the provision, that any person wishing to do so, might obtain notes direct from the Commissioner. Of this amount, about 1,500,000 *l.* is in active circulation, and of the remainder, the Bank requires about 500,000 *l.* in its till to meet demands, so that the actual reserve for circulation is not very great, and may be expected to diminish daily. As the circulation extends, the Bank will purchase more notes; or if it contracts beyond what it is convenient to the Bank to meet with its own specie balance, it will return notes to the Commissioner for Coin, and to that extent notes will go out of circulation. On the whole of the notes purchased the Bank receives its commission of $\frac{3}{4}$ per cent., which is paid in consideration of the Bank finding counter space, clerks, and superintendence, conducting correspondence with the public, and risking forgeries and erroneous payments; what is over and above may be regarded as a premium paid by Government for facilitating the operation of commerce by making it worth the while of the Bank to establish Branch Banks. Of these five have been opened (at Mirzapore, Benares, Patna, Dacca, and Rangoon), which have been supplied with Currency Notes according to the probable demand for circulation, and are working in a very satisfactory manner. These notes have a private Bank mark by which they are recognised at the branches and at the head office; those put into circulation by each branch being freely exchanged for coin at their own branch, and if sent elsewhere and paid into any other branch or into the head office, they are immediately returned to the branch to which they belong; the notes of the head office being treated exactly in the same way, except that they are cashed at the branches more charily, and not

not if apparently employed solely for purposes of remittance. This method secures all the advantages of the circle system, the chief object of which, both in the original scheme of Mr. Lushington, and in Mr. Wilson's, was to meet the difference of exchange between Calcutta and the Upper Provinces; whilst the notes are more readily exchangeable than if they had the name of a district printed on them, which would prevent their ready acceptance out of that district.

9. The issue of Currency Notes, then, does not emanate from the Bank, which is merely charged with the extension of the circulation; and this is in accordance with your expectations, expressed in paragraphs 32, 33.

10. A circle system in some form is no doubt necessary not only to protect the Government from endeavours to shake its credit for political reasons, but still more to guard against the effects of adverse exchanges; but we think that by the arrangement we have indicated, we have secured all the advantages of Mr. Wilson's scheme, without having found it necessary to resort to its expensive machinery.

11. There is little doubt that a long time must elapse before the use of a Paper Currency in India can be general. It is in its nature grounded on public convenience and credit; the latter is obtained in India the moment that the Government identifies itself with it; the former depends on the habits and general intelligence of the people, and their consequent perception of its utility; averse as Orientals naturally are to any thing new, and slow consequently to adopt any change, it will probably be years before much progress is made in local circulation. Multiplied circles and Circle Notes can at any time be resorted to if found necessary, as a natural sequence to our present arrangements and without serious inconvenience; but a return to a uniform note and less complicated and expensive establishments will not prove so easy.

12. Adverting next to the arguments you have advanced from a supposed analogy between the relations of the Bank of England to the English Government, and of the Bank of Bengal to the Indian Government, we particularly wish to point out that there is scarcely any similarity whatever. Here the notes are issued, not by the Bank, but by the Commissioner of Issue at the Government Mint, and an Act of the Legislature alone could warrant the Commissioner issuing a single note unrepresented by specie or securities deposited at the Issue Department. Again, as regards Banking: the Government through its own Directors is well informed as to all the transactions of the Bank, over which it has an immediate and complete control, as was sufficiently proved in 1857, when during a period of pressure, the Government compelled the Bank to restrict its loans and discounts, against the wishes of the majority of the mercantile Directors. That the Government, in the event of a perilous pressure on the Bank, might be forced to render its aid, is indeed undeniable; but this would have always been the case from its position as a shareholder, and this responsibility is quite independent of, and unaffected by, the arrangements connected with the Currency. Any aid, moreover, given under such circumstances, would be given from the Cash Balances, without any infraction of the Currency Laws. Before any comparison, therefore, could be made with the Bank of England, it would be necessary to make the Bank of England Note a Government Note, to transfer the Issue Department to the Royal Mint, and to appoint the Governor and nearly one-third of the Executive Committee and Court of Directors from among the servants of the Crown. It may also be observed that the Bank of England must issue notes for all bullion brought to it; the arrangements here have this advantage, that bullion is ordinarily paid for from the Government Cash Balance, either in coin, or from the reserve of already issued notes in the Bank, the disbursement being replaced by the coinage of the bullion; and the circulation of notes is only affected when the total issue is not equal to the wants of the public. In other words, the issue of notes depends on the demand for them, and not on the bullion market.

13. We concur with your remarks in paras. 59-64 on that part of the scheme which relates to the issue of notes against gold. The provision in the Act is, however, simply permissive, and we have no present intention of acting upon the clause in question.

14. As respects the difficulty anticipated by you in paragraph 65, it need only be remarked that the Bank will be allowed its commission upon all notes in circulation for which it has paid coin or bullion, and as this amount is at all times on record at the Mint, there can be no difficulty in verifying the amount in circulation through the Bank.

15. We have considered it advisable that the foregoing explanations should be brought to your notice, before any steps are taken to incur the risks and outlay which will be involved in the establishment of additional Circles of Issue, since it is quite possible that you may have been led by the somewhat loose language of the Agreement with the Bank of Bengal, to misconceive the nature and the extent of the connection of that Institution with the business of issue properly so called; and we think that you should be distinctly apprised of the fact, that what may be ambiguous in the terms of the Agreement is cleared up, and rendered unobjectionable by the practice of the Bank.

16. There is much force, no doubt, in what is urged in favour of additional Circles of Issue as a means of ensuring the convertibility of the note and thereby enhancing its credit; but experience shows (especially at Rangoon, where the notes are not legal tender, being beyond the Calcutta Circle, but where they have been introduced by the Branch Bank) that, under existing arrangements, the distance of the Centre of Issue has little if any real effect upon the credit of the note; and with not more than three or four additional circles, the question after all becomes only one of degree, while against the additional apparent security for the maintenance of the credit of the note which is thus obtained, must be set, firstly, the disadvantage of having several distinct notes, instead of one uniform note for the whole Presidency; and, secondly, any diminution which the creation of these Circles of Issue may entail in the stringency of the moral and formal obligation to cash notes on presentation which lies on the Branch Banks under the terms of agreements, such as those now existing.

17. We have no doubt that these Agreements, coupled with the power which the Government retains to itself of compelling the Branch Banks to keep reserves of specie for the purpose of cashing notes, will ensure the immediate conversion of all notes presented at the Branch Banks in the ordinary course of business in ordinary times. At periods of crisis or panic, or if notes be employed largely for exchange operations, it may be different, and the holders may, under such exceptional circumstances, be compelled to look to the Department of Issue at Calcutta, just as if the separate circle plan be adopted, they would, under similar circumstances, have to look to the central points of their respective Circles of Issue.

18. Whether, therefore, it be worth while, for this very problematical advantage to incur the expense and inconvenience of the establishment of several Circles of Issue is a question that deserves mature consideration, and which we leave to you to determine; since the measure could not, under any circumstances, be introduced until we receive a supply of the several Circle Notes from England.

19. If, contrary to our present recommendation, the immediate creation of additional circles is insisted upon, provision must be made for the issue of notes at Allahabad, Lahore, and Nagpore, and it may be necessary to insert the values of the notes in the vernacular of each district. This, however, is an important question now under our consideration, on a reference from the Governments of Madras and Bombay, and it is desirable that no new notes should be printed until you have been made acquainted with the decision at which we have arrived.

20. Meanwhile, we shall proceed in our arrangements for the transfer of the Treasury business to Branches of the Bank of Bengal, whenever circumstances appear favourable, in accordance with paragraph 56 of your Despatch, care being taken that all phrases which seem to confer on them any power of interference with or control over the issue of notes are expunged from the Agreements.

21. Adverting to paragraph 11 of our Financial Despatch, No. 71, dated 21st May

May last, we have considered it advisable, with a view to cover the expenses of the Currency, to extend the present limit of investment to 750,000*l.*

We have, &c.,
Elgin & Kincardine.
R. Napier.
H. B. Harington.
H. S. Maine.

Fort William, 2d January 1863.

Financial Department.—No. 5, of 1863.

To the Right Honourable the Secretary of State for India.

Right Honourable Sir,

With reference to the orders conveyed in paragraph 32 of your Despatch to the Government of India, under date the 8th April 1862, directing that no arrangement for the transfer of the balances and business of Local Treasuries to any Branches of the Bank of Bengal should be sanctioned without previous reference to you, which instructions, it is presumed, equally apply to the Bank of Madras, we have the honour to submit for your orders the accompanying application of the Directors of the Bank of Madras for the transfer of the Cash Balances and of the business of the Local Treasuries to the Branch Banks which they propose to establish at Cocanada and Calicut, and at the same time to request that we may be authorised to sanction a similar arrangement at Ootacamund and Tuticorin, in the event of the Directors proposing hereafter to establish Branch Banks at those places. Proceedings, 25 March 1863, Nos. 81 to 84.

We take this opportunity to inform you that, prior to the receipt of your orders above quoted, we had, on the application of the Directors of the Bank of Madras, authorised a Branch being established at Cochin, and directed the Cash Balance in the Taluq Treasury at that place to be transferred to the Branch Bank, on the understanding that the Government should reserve to itself the right of withdrawing such sums as from time to time might be required for remittance for other taluqs or districts. The Directors subsequently requested information as to what maximum and minimum balances the Government would be prepared to place at the disposal of the Bank in the event of Branches being opened at Cocanada, Ootacamund and Negapatam. This information, which is contained in the marginal statement, was furnished to the Directors by the Accountant General in November last, and is that referred to in the first paragraph of the enclosure to their present application.

—	Average Monthly Balance for the last 3 years.	Minimum.	Maximum.
	Rs.	*Rs.*	*Rs.*
Cocanada - -	2,80,388	70,000	1,05,000
Ootacamund	25,467	6,000	10,000
Negapatam -	1,32,018	33,000	50,000

We have, &c.,
W. T. Denison.
J. Hope Grant.
E. Maltby.
T. Pycroft.

Fort Saint George, 25th March 1863.

Proceedings of the Madras Government, Financial Department, 25th March 1863.

Read the following Papers:—

(No. 81).

From *John McIver*, Esq., Secretary and Treasurer of the Bank of Madras, to the Honourable *A. J. Arbuthnot*, Chief Secretary to Government, Fort Saint George; dated Madras, 23d February 1863 (No. 20-641).

Referring to the Proceedings of Government in the Financial Department of 14th January 1862 (No. 42), and to my letter to the Accountant General of the 16th ultimo, of which a copy is sent herewith, I have the honour by desire of the Directors to request the sanction of the Government for the establishment of Branch Banks at Cocanada and Calicut.

The Directors have come to this resolution without waiting for a reply to their letter

to the Accountant General above referred to, influenced in some measure by a statement laid before them by that officer of the average monthly Cash Balances in the Mofussil Treasuries which has satisfied them that Government can without inconvenience place such sums at the disposal of the Bank at Cocanada and Calicut, as to remove the difficulty that hitherto existed in coming to a decision with regard to the establishment of Branches at these places.

From *John McIver*, Esq., Secretary and Treasurer of the Bank of Madras, to *J. L. Lushington*, Esq., Acting Accountant General, Fort Saint George; dated Madras, 23rd February 1863 (No. 20-192).

REFERRING to my correspondence with your predecessor on the subject of the establishment of Branches of this Bank in suitable localities, and especially to his letter of the 15th November last, naming the amount of Treasury Balances which would probably be placed at the disposal of Branches established at Cocanada, Ootacamund, and Negapatam respectively, I am desired by the Directors to state that the sums there named were so small as to offer no inducement to them to establish Branch Banks at the places named, and the further consideration of the subject was therefore deferred.

The Directors, however, impressed with the importance of the subject in connection with the circulation of the Government Paper Currency, and the development of the material resources of the country, and having been recently solicited by the community of Cocanada to establish a Branch there, are desirous of again inviting the attention of Government to this question, and would therefore solicit that a reference be made to the Government of India with the object of eliciting their views respecting the utilizing of the Government Balances in Mofussil Treasuries, by making them available under such restrictions as may be deemed necessary for promoting the extension of Banking throughout the Presidency, but especially at the places noted in the margin.

Cocanada.
Ootacamund.
Negapatam.
Tuticorin.

(No. 82).

From *J. L. Lushington*, Esq., Acting Accountant General, to the Chief Secretary to Government, Fort St. George; dated 3rd March 1863 (No. 414).

Book and Adjustment Department.

WITH reference to the Order of Government, No. 68, dated 31st January last, Financial Department, I have the honour to forward, in original, a letter * from the Secretary and Treasurer of the Bank of Madras, stating that, under the circumstances therein represented, there is no necessity for entering into an agreement with the Government for the Branch Bank established at Cochin, and observing, at the same time, that when arrangements for the establishment of a Branch Bank at Calicut (regarding which, it appears, a reference has been made to Government on the 23rd February) have been completed, the Directors will be prepared to enter into an agreement.

* No. 20,667 dated 25th February 1863.

For my own part, I do not see how the Bank could enter into an agreement, as Government have granted to the Bank little or no advantages; the Cash Balance in the Taluq Treasury at Cochin was transferred to the Branch Bank, "on the understanding that Government reserve to itself the right of withdrawing such sums as from time to time may be required for remittance for other Taluqs, or districts." (*Vide* paragraph 1 of the Order of Government, No. 395, dated 24th May 1862.)

Adverting to paragraph 5 of the Order of Government of the 31st January last, above quoted, observing that no report has, as yet, been made upon the suggestion of the Directors of the Bank, that British Cochin and Malabar be added to the Madras Circle of Issue, as desired in the last paragraph of the Order of Government, No. 395, dated 24th May 1862, I beg to state that, to all intents and purposes, British Cochin and Malabar are already within the Madras Circle of Issue, inasmuch as Currency Notes are received and issued there, under the same rules as prevail in other districts of this Presidency.

From *John McIver*, Esq., Secretary and Treasurer Bank of Madras, to *J. L. Lushington*, Esq., Acting Accountant General, Fort Saint George; dated Madras, 25th February 1863 (No. 20-667).

I HAVE the honour by desire of the Directors to acknowledge the receipt of your letter of the 18th instant, in which you inquire if the Directors are prepared to enter into an agreement for the management, by the Bank's Branch at Cochin, of the Treasury business there, somewhat similar to that entered into by the Bank of Bengal for its Branch at Patna, a copy of which you enclose.

In reply, I am directed to state that Government, having accorded no privileges to the Branch at Cochin, in the shape either of a fixed Cash Balance, or an allowance for establishment, the necessity of entering into any agreement is not very apparent.

I am, however, instructed to refer you to the letter addressed by the Bank to the Chief Secretary to Government on the 23rd instant, requesting sanction for the establishment of a Branch of the Bank at Calicut, and to state that when arrangements for the

the establishment of this Branch have been completed, the Directors will be prepared to enter into an agreement with the Government similar to that entered into by the Bank of Bengal in regard to its Branch at Patna, the copy of which is herewith returned.

No. 83.—Order thereon, 25th March 1863, No. 206.

The application of the Directors of the Madras Bank for the transfer of the Cash Balances, and of the business of the Local Treasuries to the Banks which they propose to establish at Cocanada and Calicut, will be submitted for the orders of the Secretary of State; and at the same time authority will be requested to sanction a similar arrangement at Ootacamund and Tuticorin, in the event of the Directors proposing hereafter to establish Branch Banks at those places.

2. Copies of the Accountant General's letter of the 3d instant, and of its enclosures, will be furnished to the Government of India.

A. J. Arbuthnot,
Chief Secretary.

No. 84.—To the Secretary to the Government of India, Financial Department; dated Fort Saint George, 25th March 1863 (No. 207).

With reference to the correspondence noted in the margin,* I am directed by His Excellency the Governor in Council to transmit a copy of a letter † from the Acting Accountant General, with its enclosure, explaining that there was no necessity for entering into an agreement with the Bank of Madras for the establishment of a Branch Bank at Cochin, as no privileges were accorded in the shape either of a fixed Cash Balance or an allowance for establishment. The Cash Balance in the Taluq Treasury at Cochin, I am to state, was transferred to the Branch Bank "on the understanding that Government reserves to itself the right of withdrawing such sums as from time to time may be required for remittance for other Taluqs or districts." ‡

A. J. Arbuthnot,
Chief Secretary.

* To Government of India, 21st October 1862, No. 746. From Government of India, 20th December 1862, No. 1,324.

† Dated 3d March 1863, No. 414.

‡ Proceedings of Government, Financial Department, 24th May 1862, No. 395, p. 1.

Financial Department.—No. 8 of 1863.

To Her Majesty's Principal Secretary of State for India in Council, London.

Right Honourable Sir,

We have the honour to acknowledge the receipt of your Despatch, dated 16th September last, No. 64, and with reference to the 50th paragraph* of your Despatch of the same date to the Government of India (a copy of which accompanied it), on the subject of the transfer of the business hitherto transacted at the Government Treasuries to Banks, and of the establishment of a Government Paper Currency for India, we beg to forward for your instructions extract (paragraphs 6 to 11) from a letter from the Secretary to the Bank of Bombay, No. 73, dated 10th December last.

2. It will be seen that the concession which the Directors ask with regard to dealing in Foreign Exchanges is "simply a power to enable the Bank to remit, for the convenience of its constituents in the Agency Department, sums of money to London by its own Bills, and that the Bank should be allowed to provide funds in London by purchasing here and forwarding to its agents in London Bankers' drafts only."

3. We have, however, modified the Bill for granting a new Charter to the said Bank in accordance with the views expressed in paragraphs 50 to 55 of your Despatch to the Government of India above quoted, reserving at the same time to this Government the power to permit the Bank to deal in Foreign Exchanges to

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* "It appears to Her Majesty's Government to be very objectionable to allow Banks so intimately connected with the Government as these Banks, and which are entrusted with the custody of the Government Balances, to deal in Foreign Exchanges. The Bank of England does not transact business of that description, which is, in fact, not banking, but speculative commercial business."

to the limited extent proposed for the convenience of the Bank's constituents in the Agency Department in the event of your acceding to the request of the Directors; and it is our intention, we would observe, in such a case, to lay it down as a rule, that no Foreign Bill shall be issued by the Bank without the sanction of at least two Government Directors, who must satisfy themselves that the bill is given strictly for the remittance of money by the Bank's constituents in the Agency Department, and for no other purpose.

4. A copy of the Bill, which has been passed by the Legislative Council of this Presidency, is herewith forwarded. The modifications alluded to in the preceding paragraph have been made in Section XXXI., corresponding with the same section of the draft which accompanied our Letter No. 6, dated 12th May 1862. It will further be seen, that the suggestions of the Government of India, contained in their communication noted in the margin,* copy of which was also enclosed with our letter just quoted, have been attended to.

* No. 2525, dated 5th April 1862.

We have, &c.,
H. B. E. Frere.
W. E. Frere.
J. D. Inverarity.

Bombay Castle, 13 April 1863.

Extract Paras. 6 to 11 of a Letter from the Secretary and Treasurer of the Bank of Bombay (No. 7384); dated 10th December 1862.

6. With regard to the second paragraph in your letter, and the observations of the Secretary of State for India regarding Foreign Exchanges, the Directors beg that it may be understood that they never wished or asked for power to deal in Foreign Exchanges; and on this point the Directors would draw your attention to the letter of J. A. Baumbach, Esq., the chairman of the non-official Directors, dated so far back as the 12th of October 1860, in which he says, "With regard to one concession which is supposed by some to have been referred to by the late Mr. Wilson—the permitting the Bank to deal in Foreign Exchanges,—we are fully convinced that the entering into transactions of this kind, so alien to the business hitherto carried on by the Bank, would be very repugnant to the feelings of the great body of the shareholders; while from the number of Banks already established for exchange purposes, it is doubtful if either the Bank or the public would derive advantage from such a measure."

7. The power which the Directors ask for is simply a power to enable the Bank to remit, for the convenience of its constituents in the Agency Department, sums of money to London by its own bills, and that the Bank should be allowed to provide funds in London, by purchasing here, and forwarding to its agent in London, bankers' drafts only. It is this power which the Directors considered was referred to in the first paragraph of the Government memorandum of the 19th March 1861, and which they thought was thereby conceded to them.

8. Transactions under such a power cannot be said to be dealings in Foreign Exchanges, and the Directors consider that they do not come within the scope of the observations made by Sir Charles Wood, in the Despatch of the 16th of September last. Such transactions would not be speculative, for they would not be attended by the slightest risk.

9. The constituents of the Agency Department in the Bank are chiefly private persons, not merchants, who from time to time remit money to England for the use of their families, or who, on leaving India, wish to take with them their capital. The Directors now simply ask for power to accommodate these constituents. The withholding of this power would inconvenience the Bank in dealing with its up-country constituents. For instance: the Bank has established a Branch at Ahmedabad, and if any constituent there should wish to remit 1,000 rupees to his family in England, the agent would not have power to draw a bill. The agent would be obliged to send instructions to the Head Office, in Bombay, to purchase from some other Bank a bill on London. The Directors apprehend that it is not the wish of the Home Government to place the Bank under such restrictions.

10. It must be borne in mind, moreover, that if the power now asked for is granted, it will, at all times, be in the power of Government, by its own Directors, to see that the power is not abused, or exercised in any other manner than that contemplated by the Act.

11. Under these circumstances, considering that the Government of India had consented

sented to grant this limited power, and that such power cannot properly be said to be within the observations of Sir Charles Wood, I am instructed to say that the Directors must ask to have this power conceded to them by the new Act.

True Extract.

A. D. Robertson,
Secretary to Government.

A Bill for the Re-incorporation and Re-constitution of the Bank of Bombay.

Preamble.

Whereas the provisions of Act No. III. of 1840, whereby the Bank of Bombay was incorporated and constituted, having been found to be in many respects inconvenient and imperfect, or unnecessarily restrictive, it is expedient to repeal the said Act, and also Act No. XXI. of 1854, intituled "An Act to amend the law relating to the several Banks of Bengal, Madras, and Bombay," and Act No. XXVII. of 1855, intituled "An Act to enable the Banks of Bengal, Madras, and Bombay to transact certain business in respect of Government Securities and Shares in the said Banks;" but as to such two last-mentioned Acts, so far only as the same are concerned with the said Bank of Bombay, and to substitute for the provisions in the same Acts respectively contained, so far as the same relate to the said Bank, the provisions in this Act contained. And whereas it is also expedient to confer upon, or confirm, or continue to the Bank of Bombay, as continued or re-incorporated and re-constituted by this Act, such and the same powers and authorities as under or by virtue of Act No. XXIV. of 1861, intituled "An Act to enable the Banks of Bengal, Madras, and Bombay to enter into arrangements with the Government for managing the issue, payment, and exchange of Government Currency Notes, and certain business hitherto transacted by the Government Treasuries," are now possessed or exercisable by the Bank of Bombay, as incorporated and constituted under or by virtue of the said Act III. of 1840, of entering into the arrangements and agreements, and of transacting the business in this behalf in the said Act XXIV. of 1861 mentioned: It is enacted as follows:—

The former Acts repealed.

1. Upon and from the First day of May in the year of our Lord 1863, the said Act No. III. of 1840, Act No. XXI. of 1854, and Act No. XXVII. of 1855, but as to the said two last-mentioned Acts, so far only as they relate to the Bank of Bombay, shall respectively cease and determine, and the same are hereby from the said day repealed.

The Bank of Bombay re-incorporated.

2. The persons who at the time of the determination in manner aforesaid of the said three last-mentioned Acts shall, by virtue of, and in accordance with, the provisions of the said Act III. of 1840, be the proprietors of the Capital Stock of the Bank of Bombay, or who shall at any time thereafter, by virtue and in pursuance of the provisons of this Act become proprietors of any such stock then created or to be thereafter created as hereby provided, and their successors respectively, proprietors for the time being of the same stock respectively, shall, notwithstanding the determination of the said Acts, continue to be and be a corporation, body corporate or politic, with perpetual succession under the name of the Bank of Bombay, and shall possess and enjoy all the rights, powers, and immunities incident by law to a corporation aggregate, subject nevertheless to the provisions of this Act.

Property vested in the Bank as re-incorporated.

3. All the property, moveable and immoveable, and all the things in action, claims, and demands whatsoever, which immediately before the determination as aforesaid of the said Acts shall be vested in or might be made or asserted by the said Bank of Bombay as incorporated and constituted under the same Acts, shall, immediately upon the determination as aforesaid of the same Acts, become vested in and devolve on, and may be made and asserted by the Bank of Bombay as re-incorporated and re-constituted by this Act, and the said Bank of Bombay so re-incorporated and re-constituted as aforesaid, shall be liable and subject to all debts, demands, claims, and liabilities outstanding, or which might be made or asserted against the said Bank at the time of such determination as aforesaid, and no suit or proceeding at law or in equity then pending shall cease or abate, or become defective by reason or in consequence of such determination as aforesaid, and of such re-incorporation and re-constitution of the said Bank by virtue of this Act.

To have a Corporate Seal, &c.

4. The said Bank of Bombay, so as aforesaid re-incorporated and re-constituted, shall, upon the determination as aforesaid of the said Acts, be authorised and empowered to transact all or any of the business which the said Bank is hereby authorised or empowered to transact, and shall and may sue and be sued by its said corporate name, and shall and may use such corporate seal as shall have been theretofore in use, or as the Directors of the said Bank shall have appointed in this behalf, or shall from time to time thereafter appoint, and shall be competent to acquire and hold either absolutely or conditionally, and either in perpetuity or for a term of years, any description of property whatsoever, and shall have power to convey and transfer the same.

The Capital.

5. And whereas it was enacted by the said Act III. of 1840 that the Capital Stock of the Bank of Bombay, by the same Act incorporated, should in amount not be less than fifty

lakhs of rupees, nor, unless increased as thereunder provided, more than fifty-six lakhs of rupees, and whereas the Capital Stock of the said Bank now amounts to fifty-two lakhs and twenty-five thousand rupees, the whole amount of which has been paid up: it is hereby enacted, that it shall be lawful for the proprietors, at a special general meeting summoned for that purpose, and they are hereby empowered, at such time or times after the determination as aforesaid of the said Acts, and from time to time thereafter, to increase the Capital Stock of the said Bank, so as aforesaid re-incorporated and re-constituted by a certain amount, but so nevertheless as that the whole Capital Stock of the same Bank shall not at any time exceed the sum of two crores and ten lakhs of rupees, and the Directors shall thereupon cause to be issued such and so many new shares upon such conditions and in such manner as to them may seem expedient for raising the amount of capital which at such general meeting may have been authorised to be raised.

The present Shareholders entitled to Shares in the Bank as re-incorporated.

6. The capital stock of the Bank of Bombay, so as aforesaid incorporated and constituted under the said Act III. of 1840, shall on the determination as aforesaid of the said Acts, continue to be and be the capital stock of the Bank of Bombay so as aforesaid re-incorporated and re-constituted under this Act, and shall continue to be divided into shares of one thousand rupees each; and such shares shall continue to bear the same numbers as theretofore; and the shares which at the time aforesaid shall be registered in the name of the Governor in Council of Bombay shall be the property of the said Governor in Council for the time being, and the shares which at the time aforesaid shall be registered in the name of the individual proprietors, shall continue to be the property of such proprietors, but shall be deemed to be shares in the Capital Stock of the said Bank so as aforesaid incorporated and constituted under this Act; and in case the Capital Stock of the said Bank shall at any time thereafter be increased by virtue and in pursuance of the provisions of this Act, the new or additional Capital Stock so created shall in like manner be divided into shares of one thousand rupees each, and such shares shall be numbered in continuation of the numbers of the then existing shares, and no separate interest or share in or of the said Capital Stock of less amount than one thousand rupees shall be created or held by any proprietor, nor shall any proprietor or other person be entitled to claim a share of such new or additional Capital Stock of less amount than one thousand rupees.

Register of Shares.

7. The said Bank so re-incorporated and re-constituted by this Act or the Directors thereof, shall cause to be kept in one or more books at their principal office in Bombay, a register of proprietors of shares in the Capital Stock of the said Bank, and there shall be entered therein the following particulars:

1. The names, addresses, and occupations (if any) of the said proprietors, and the shares held by each of them, distinguishing each share by its number.

2. The amount paid on the shares of each proprietor.

3. The date at which the name of any person was entered in the register as a proprietor of shares or a share.

4. The date at which any person ceased to be a proprietor of any share, and as soon as conveniently may be after the determination as aforesaid of the said Acts, the Directors shall register, in manner aforesaid, the persons who at the time of such determination shall be the proprietors of the capital stock of the said Bank, as incorporated and constituted under the said Acts so as aforesaid determined.

Certificate of Shares.

8. A certificate, signed by three of the Directors of the said Bank, as re-incorporated and re-constituted under this Act, shall, after the determination as aforesaid of the said Acts, and on request being made in this behalf by the proprietors, or any of them, of shares or a share in the Capital Stock of the said Bank then created or thereafter to be created, be given to such proprietors or proprietor, and such certificate shall specify the number of the share in respect of which the same shall be granted; and any person being the proprietor of more than one of such shares may, at his option, require such certificate as aforesaid in respect of each of such shares, or one certificate for all the shares of which such person is proprietor, and according to such requisition, such certificate, signed as aforesaid, shall be delivered to such proprietor. Such certificate, signed as aforesaid, and specifying any share or shares held by any proprietor, shall be *primâ facie* evidence of the title of the proprietor to the share or shares therein specified: Provided always, that such certificates shall not be granted to persons who shall be proprietors of shares or a share in the said Bank at the time of the determination as aforesaid of the said Acts, or their successors, unless they shall deliver up to be cancelled the certificates or certificate of such shares or share theretofore granted, or shall satisfy the Directors of the loss or destruction of such certificates or certificate.

Trustees not recognised.

9. No notice of any trust, express, implied, or constructive, shall be entered on the register, or be receivable by the said Bank, nor shall the Bank in any case recognise or be affected with notice, express or otherwise, of any trust, charge, lien, estate, or interest whatsoever, reversionary or otherwise, of, upon, in, or in respect of any of the said shares in the said Bank, other than the legal estates or interests therein of the person or persons in whose name or names the said shares or share shall be registered: provided always, that nothing in this section contained shall be construed to restrict the operation which any

any judgment, decree, order, writ, or other process of any court of justice would, in the absence of this section, have had.

Transfer of Shares.

10. The shares in the capital stock of the said Bank, so as aforesaid re-incorporated and re-constituted under this Act, shall be of the nature of personal estate, and shall not be of the nature of real estate, and the same shall be transferable by a deed in the form set forth in Schedule A. hereto annexed; and which deed shall be executed both by the transferror and transferree, and may be either a separate deed or a deed indorsed on the share certificate; provided always, that no such separate or indorsed deed of transfer shall be effectual to transfer the share or shares thereby intended to be transferred until such separate or indorsed deed of transfer shall have been registered at the Bank of Bombay, in manner aforesaid, and such registration shall have been duly noted on such separate or indorsed deed of transfer, or duly certified in writing, under the hand of an officer appointed for that purpose by the Directors of the said Bank; but the transferror shall be deemed to remain the proprietor of such shares or share until such registrations and notification or certificate, as last mentioned, shall have been made or given.

Shares of deceased Proprietors.

11. The executors or administrators of a deceased proprietor shall be the only persons recognised by the said Bank as having any title to his shares or share, and any person becoming entitled to shares or a share in the capital stock of the said Bank, in consequence of the death, bankruptcy, or insolvency of any proprietor, or in consequence of the marriage of any female proprietor, or in any way other than by indorsement or transfer, may be registered as a shareholder, upon the production of such evidence of title as may be required by the Directors.

Register may from time to time be closed.

12. The Directors of the said Bank, so re-incorporated and re-constituted as aforesaid, by giving notice in the Bombay "Goverment Gazette," may from time to time close the register of proprietors for any period or periods not exceeding in the whole 21 days in any one year, and during such period and periods it shall not be compulsory upon the Directors to register any transfer of any share.

Registered Proprietors to form the Corporation.

13. The said Bank of Bombay, as re-incorporated and re-constituted under this Act, shall consist and be composed of the registered proprietors for the time being of the said shares of the capital stock of the said Bank, and of no other person or persons whatsoever.

Directors.

14. The business of the said Bank shall, until the appointment in manner hereinafter provided of new Directors, be managed by the persons who at the time of the determination in manner aforesaid of the said Acts shall, by virtue and in pursuance of the same Acts or any of them, be the Directors of the said Bank as thereby incorporated and constituted, and such persons shall be the first Directors of the said Bank so as aforesaid re-incorporated and re-constituted by this Act; and after the appointment, in manner hereinafter respectively provided, of new Directors, the business of the said Bank shall be managed by nine Directors, of whom three shall from time to time be appointed and removable by the Governor in Council of Bombay, and the remaining six shall in manner hereinafter provided and from time to time be elected by a general meeting of the proprietors of said Bank, and shall be removable by vote of the majority of a general meeting of the said proprietors. Provided that any three or more of the Directors shall form a quorum for the transaction of the business at any meeting of the Directors, and such three or more Directors shall have power and authorities of the entire number of the Directors.

Proviso.

Directors to be elected on the second Monday in December.

15. The election of such Directors as are to be elected as aforesaid by the proprietors shall be made at a general meeting of the proprietors, to be held on the second Monday in December, or any adjournment thereof; and such election shall be made by the proprietors of shares in the capital stock of the said Bank, who shall be present at such meeting or adjourned meeting, and shall vote at such election, or who shall vote at such election by proxy.

Directors to retire by rotation.

16. Two of the six elective Directors for the time being shall, in rotation, go out of office on the second Monday in the month of December in every year, on which day in every year a general meeting of the proprietors shall be held for the election of two Directors in their stead; and the six persons who, at the time of the passing of this Act, shall be Directors shall retire by rotation, in such manner as they would have retired if this Act had not been passed; provided always, that any Directors going out by rotation as aforesaid may not be re-elected at the election which takes place thereupon.

Election of Directors.

17. The appointment of any Directors, to be elected by the proprietors as aforesaid, shall be deemed to have taken place on the result of such election being declared by the President of the meeting at which such election shall take place, and they and the said other Directors, from time to time to be appointed by Government, shall thenceforth be Directors of the said Bank, and have the powers and authorities of Directors; provided always, that if at any such meeting or adjourned meeting of proprietors, held for election of Directors, no such election shall be had, the persons who, previously to such meeting or adjourned meeting, were Directors, shall continue to be and act as Directors till such election shall be duly had; and such meeting or adjourned meeting shall be adjourned to any day, at a distance of not more than one month, for the election of Directors as aforesaid.

Vacancies among Directors.

18. In case of death, resignation, or absence from Bombay for more than three months, or disqualification under Section 21, or removal, as aforesaid, of any Directors or Director to be elected by the proprietors as hereinbefore provided, the surviving or continuing Directors or Director, or the Directors or Director other than the Director or Directors so being absent or being disqualified, or having been removed, shall, in manner hereinafter provided in the cases of extraordinary general meeting, call a general meeting of the proprietors, to be held within 15 days of the day of the notice for that purpose, of electing, in manner aforesaid, a successor or successors to such Directors or Director so dying, resigning, being absent, becoming disqualified, or being removed, and such successors shall, in regard to the rotation above mentioned, be deemed to be in place of the Director in whose stead he shall have been so appointed.

Qualification of Directors.

19. No person shall be capable of serving as a Director by election of the proprietors who shall not be proprietor in his own right of twelve unincumbered shares of 12,000 rupees of the capital stock of the Bank of Bombay, or who shall be Director of any other Bank having a place of business within the town or island of Bombay; and in case of more than one member of any mercantile firm or company (being other than a joint stock company) being elected Directors, or where any Director shall become a member of such firm or company, there being already a member of the same firm a Director, only one of such members shall act as a Director.

Voting at Meetings.

20. At all general meetings of the proprietors every election and other matter in question shall be decided by a majority of votes; and no person shall be allowed to vote at any such meeting, in respect of any shares or share of the said capital stock, until six calendar months after the time when he shall have become a registered proprietor of such shares or share, unless such share or shares shall be acquired, or shall have come by bequest, marriage, or succession to an intestate's estate, or by any deed of settlement after the death of any person who shall have been entitled for life to the dividends of such shares. If more persons than one are jointly entitled to a share or shares, the person whose name stands first in the register of shareholders as one of the holders of such share or shares, and no other, shall be entitled to vote in respect of the same.

Scale for Voting at General Meetings.

21. At all such general meetings the proprietors, having a right to vote at such meeting, shall vote according to the following scale:—

The proprietor of	4	shares of	1,000	Rupees shall be entitled to - -	1 vote.
	20	„	„	„ - -	2 „
	40	„	„	„ - -	3 „
	60	„	„	„ - -	4 „
	80	„	„	„ - -	5 „
	120	„	„	„ - -	6 „
	160	„	„	„ - -	7 „

And no proprietor shall be entitled to more than seven votes.

The Governor in Council may vote by Proxy.

22. It shall be lawful for the Governor in Council of Bombay, by writing signed by one of the Secretaries to Government, to appoint any person as a proxy to attend any general meeting of the proprietors; and such proxy shall be entitled to give seven votes upon all matters or questions that may be submitted to such meeting, except upon the election or removal of such Directors as are elected by the said proprietors

Proxies.

23. Any proprietor or proprietors entitled to vote in person at any general meeting may, by writing under his, her, or their hand, or the hand of his, her, or their attorney, duly authorised, or if the appointor is a corporation, under their common seal, appoint any other registered proprietor, as his, her, or their general or special proxy on his, her, or their behalf, to attend, take part, and vote at any general meeting or meetings, according to the terms and instructions contained in the instrument of appointment; and such proxy shall have the same number of votes and all such powers as are given by such instrument, being such as the person or persons so appointing him would have possessed if personally present, provided the instrument of appointment shall be deposited at the chief place of business in Bombay of the said Bank not less than forty-eight hours before the same can be acted on. Any vote or act otherwise valid of any person appointed to act as such proxy shall not be afterwards objected to or questioned merely on the ground of the revocation, whether by operation of law or otherwise, of the authority of such person to act as such proxy, unless notice in writing of such revocation shall have been served at the last-mentioned place at least forty-eight hours before the time when such vote or act shall have been given or done, unless at such last-mentioned time such objection or question shall have been raised.

The President.

24. At the first meeting of the Directors in every year, they shall choose a president from among themselves; and if the office of the president shall become vacant, they shall, at their next meeting, choose a successor for the remainder of the current year; and during any vacancy, or in the absence of the president, the senior Director present shall be vice-president for the time being, and shall preside at general meetings of the proprietors and at meetings of the Directors; and in all cases of an equal division of votes at meetings, either of proprietors or Directors, the President or Vice-President shall have a casting vote in addition to any votes or vote he may be entitled to give in his own right or as a proxy.

25. If

25. If at any meeting of proprietors such President, Vice-President, or any Director shall not any of them be present at the time of holding the same, the proprietors present shall choose some one of their number to preside at such meeting, and the person so as aforesaid presiding at such meeting shall, in case of an equality of votes, have a casting vote. The person presiding over any such meeting may, with its consent, adjourn the same from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the time from which the adjournment took place. Chairman at meetings

26. At any general meeting, unless a poll is demanded by at least five proprietors, a declaration by the President for the time being that any resolution, regulation, or other matter has been arrived at, made, or concluded, and an entry to that effect in the minutes of proceedings of the said Bank shall be sufficient evidence of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution, regulation, or other matter; and if a poll shall be demanded in manner aforesaid, the same shall be taken in such manner as such President shall direct, and the result of such poll shall be deemed to be the resolution of the said proprietors in general meeting. Mode of voting at General Meetings.

27. The persons for the time being holding the offices of Secretary and Treasurer, or of Secretary alone, or of Deputy Secretary of the Bank of Bombay as re-incorporated and re-constituted under this Act, are hereby respectively authorised and empowered, for and on behalf of the said Bank, to indorse and execute transfers of Government and other securities standing in the name of the said Bank, to draw, accept, and indorse bills of exchange, promissory notes, bank post bills, and letters of credit connected with the current and ordinary business of the Bank, and to sign all other documents connected with such business, except documents under seal, other than such documents under seal, as may be required to be executed for the purpose of transferring Government or other securities standing in the name of the said Bank. The Secretary, &c., empowered to draw Bills, &c.

28. The seal of the Bank shall not be affixed to any deed or instrument except in the presence of three Directors, whose signatures shall be duly attested by neutral parties, and any document to which the seal of the Bank shall be so affixed, and shall be so executed and attested as aforesaid, shall bind the said Bank and operate as the act and deed of the Bank. Seal of the Bank.

29. No person being or acting as Secretary, and Treasurer, Deputy Secretary, Head Accountant or Head Shroff of the Bank of Bombay, or as Inspector, Agent, Manager, Accountant, Shroff, in any other office at any Branch Bank or Agency, shall engage in any other Banking or commercial business, either on his own account, or as agent for any other person or persons, or act as a broker for the sale or purchase of Government securities; and every person appointed to hold or act in any one or more of the said offices, and all such other officers from whom the Directors may from time to time think fit to require it, shall give security to the Directors for the faithful discharge of his duty to the satisfaction of the Board of Directors, and in such amount and in such manner as they shall think proper. Provided always that the security to be given as aforesaid by the person holding or acting in the offices of Secretary or Treasurer, or both, shall not be in a less amount than 50,000 rupees. Officers of the Bank not to engage in any other business.

30. The Directors, by letter of attorney, or other deed or writing, may delegate to Directors, Local Committees, Inspectors, Managers, Agents, and other officers respectively, any of the powers of the Directors for the due conduct, management, and regulation of any of the business or affairs of the Company, and for any of such purposes may authorise the Secretary and Treasurer, or the Secretary alone, to depute or delegate any of the powers hereby conferred on him by Section 27, to any person or persons for carrying on any branch business or agency of the Bank of Bombay. Directors may delegate their powers.

31. The Directors of the said Bank for the time being shall be at liberty, and they are hereby authorised and empowered to execute and exercise all such powers and authorities of the said Bank as re-incorporated and re-constituted by this Act, as are not by any of the provisions hereof declared to be exercisable only by the proprietors in general meeting, subject nevertheless to the provisions of this Act, and of such by-laws, regulations, and orders, as may from time to time be made under Section 45 of this Act. And, in particular, the said Directors are authorised and empowered to exercise and execute the powers and authorities following:—(A) To provide suitable offices and buildings for the use of the said Bank, and to do all acts necessary or proper for that purpose. (B) To sell or exchange all or any of the movable or personal, or immovable or real property or estate of the said Bank, and to apply the moneys produced by any such sale as capital of the Bank. (C) To continue the persons who at the time of the determination as aforesaid of the said Acts shall hold the respective offices of Secretary and Treasurer, Secretary, Deputy Secretary, Accountant, or Shroff, or shall be acting as agents, or be otherwise in the employment of the said Bank, as incorporated and constituted by the said Acts in such respective offices or as such agents, or in such employment, or at such time, or at any other time, and from time to time to appoint persons to fill or hold such offices or any of them, or to act as such agents or in such employment of, for, or on behalf of the said Bank as re-incorporated and re-constituted by this Act, and to appoint such other officers, clerks, or servants as the Directors may consider necessary for the conduct and carrying Powers of Directors.

on of the business of the said Bank, and from time to time to remove any such officers clerks, or servants as aforesaid, and to fix and appoint the salaries, remuneration, or wages of such officers, clerks, or servants. (D) To institute, conduct, defend, and compromise, or abandon as they may think expedient any legal proceedings relating to the property or affairs of the said Bank, and to submit to arbitration any matter in difference between the said Bank and any other persons or person. (E) To compound for or abandon any debt, claim, or demand due to or maintainable by the said Bank, and to give time for payment or satisfaction thereof. And subject as hereinbefore mentioned to exercise the entire management, superintendence, and control of and over the business and affairs of the Bank, and in such manner as shall appear to them, the said Directors, most advantageous to the said Bank, and for the purposes of the exercise and execution by them of any of the powers and authorities hereby vested in them, or made exercisable by them, the said Directors may (if necessary) cause the common seal of the said Bank to be affixed to any deed or other instrument, and any deed or instrument, having affixed to it the said common seal, and bearing the signature of three Directors of the said Bank for the time being, shall be deemed to be a deed or instrument duly executed by the said Bank.

Business of the Bank.

32. The said Bank of Bombay, as re-incorporated and re-constituted under this Act, may, and is hereby authorised and empowered to carry on and transact the business hereinafter specified, but shall not engage in or carry on or transact any other adventure, trade, or business than such particular kinds of business, that is to say:—

1st. The advancing and lending money on Government securities, or on the security of shares in any of the incorporated Indian Railway or other public companies in India.

2d. The discounting, buying, and selling of bills of exchange, and other negotiable securities payable in India; provided that the Directors of the Bank of Bombay shall have power to open drawing accounts with the Banks of Bengal and Madras, and to make from time to time, with or without collateral security, such temporary advances to either of these corporations as to the said Directors shall appear to be expedient.

3d. The making of investments of the moneys of the said Bank in Government securities, and from time to time altering, converting, and transposing such investments for others of a like nature.

4th. The making, issuing, and circulating of bank post-bills and letters of credit, made payable in India, to order or otherwise than to the bearer on demand.

5th. The buying and selling of gold or silver bullion.

6th. The receiving of deposits, keeping cash accounts, and granting cash credits.

7th. The granting loans and making advances upon any goods, wares, merchandise, or other property or securities of the description above mentioned which, or the documents of title to which, shall be deposited with or assigned to the said Bank as security for such loans and advances, and the selling and realization of the proceeds of sale of any such goods, wares, merchandise, or other property or securities which, or the documents of title to which, have been so deposited or assigned, or which shall be held by the said Bank, and over which the said Bank shall be entitled to any lien or charge in respect of any such loan or advance, or any debt or claim of the said Bank, and which said goods, wares, merchandise, property, security, or documents of title, so as aforesaid deposited with, assigned to, or held by the said Bank, shall not in due time in accordance with the terms and conditions (if any) of such deposit or assignment have been redeemed.

8th. The acting as agents, either for commission or profit, or otherwise in the transaction of the following kinds of business:—The taking charge of any Government or other securities or shares in any Railway, Bank, or Joint Stock Company. The receiving of the interest or dividends on any such securities or shares. The investment of any money deposited in the said Bank of Bombay in any of the said securities or shares. To sell or transfer any such securities or shares deposited with the said Bank, or to receive any principal money that may be payable thereon. To invest the principal and interest and dividends so received or the proceeds of such sale as last aforesaid in any such securities or shares, or according to the instruction of their constituents to hold or pay such principal interest, dividends, or proceeds, or at the risk of such constituents to remit the same by public or private bills, either payable in India or in Great Britain or Ireland, and to do all acts necessary or proper for the purpose of effecting such remittances, provided that if any such remittance be made in a bill of the said Bank, such bill shall be payable in India; and provided also that, notwithstanding anything hereinbefore contained, it shall be lawful for the said Bank, if authorised so to do by the Governor in Council of Bombay, to draw bills of exchange and grant letters of credit, payable out of India, for the use of their constituents in the Agency Department for the remittance of funds realised by them acting as Agents in the manner aforesaid, and to buy bills of exchange payable out of India for the purpose of meeting such bills or letters of credit.

33. The

33. The said Bank of Bombay, as re-incorporated and re-constituted under this Act, shall and may have and exercise the same powers and authorities as under and by virtue of Act 24 of 1861 were conferred upon or made exercisable by the Bank of Bombay as incorporated and constituted under Act 3 of 1840, of entering into and carrying out the arrangement and agreements in the said Act 24 of 1861, in this behalf mentioned, and of the transacting, in addition to the modes of business in which the said Bank might at the time of passing such last-mentioned Act be by law engaged and in manner in this behalf in Section 2 of the same Act mentioned, all or any of the business in this behalf in the same section mentioned. Bank authorised to act under Act XXIV. of 1861.

34. The Directors of the said Bank, as re-incorporated and re-constituted under this Act, shall make no loan or advance of money or securities for money to any person or persons on the security of any shares or share, or certificate of shares, or a share in the capital stock of the Bank of Bombay; nor shall they make any loan or advance on the mortgage, or in any other manner, on the security of any lands, houses, or other immovable property, or on the title-deeds relating thereto. Bank not to purchase or advance on its own shares.

35. The Directors of the said Bank shall cause the books of the said Bank to be balanced on the 30th day of June and the 31st day of December in every year, or at such other times as may from time to time be determined by the Directors; and a statement of such balance, showing generally how the same is arrived at, signed by a majority of the said Directors, shall be forthwith transmitted to one of the Secretaries to the Governor in Council of Bombay; and the Governor in Council of Bombay shall at all times be entitled to require of the said Directors any information touching the affairs of the said Bank, and the production of any documents of the said Bank, and the said Directors shall comply with every such requisition. Books to be balanced half-yearly.

36. An account of the profits and losses of the said Bank shall be taken half-yearly on the 1st day of January and the 1st day of July in every year, or at such other times as may from time to time be determined by the Directors; and a dividend thereof shall be made so soon thereafter as conveniently may be, and the amount of such dividend shall be determined and declared by the Directors of the said Bank on the ground of the actual profits made by the said Bank during the six calendar months preceding the day up to which such half-yearly account shall be taken: provided that the said Directors shall have power from time to time, and whenever they see fit, to set apart from such profits such sum or sums as they may consider necessary or expedient in this behalf, and add or appropriate the same to the reserve fund which may from time to time have been set apart to answer contingent or extraordinary purposes or liabilities. Dividends.

37. Unless some other time shall be prescribed by the proprietors of the capital stock of the said Bank, on the first Monday of the month of August in every year, a general meeting of the said proprietors shall be held at such place and time as may be determined by the Directors, due notice of such place and time being published by advertisement in the official "Bombay Gazette," at which meeting the Directors of the said Bank shall submit to the said proprietors a statement of the property and liabilities of the said Bank and of its income and expenditure during the preceding year ending on the preceding 30th of June, or such other day as shall be determined on by the Directors; and such ordinary general meeting shall be competent to pass resolutions and regulations and frame rules and directions relative to the affairs, management, and conduct of the said Bank, which shall be binding on the directors and officers of the Bank, and on the proprietors thereof, until rescinded or modified respectively by any subsequent general meeting. General Meetings.

38. At the first general meeting in every year one or more auditor or auditors shall be appointed for the current year by a majority of the votes at the meeting, and in case of any casual vacancy occurring in such office the vacancy shall be filled forthwith by a special general meeting to be summoned for the purpose. No director or other officer shall be eligible as an auditor. An auditor shall be re-eligible on his quitting office. Appointments of Auditors.

39. The above-mentioned general meetings shall be called ordinary meetings; all other general meetings shall be called extraordinary or special general meetings. Ordinary and Extraordinary General Meetings.

40. Any three of the directors or any ten proprietors of the said Bank may at any time convene a special general meeting of the proprietors, upon giving fifteen days' previous notice of such meeting, and of the purpose or purposes for which the same shall be convened, as well to the Secretary and Treasurer of the said Bank for the time being as also by public advertisement in the "Bombay Government Gazette:" Provided that at such special general meeting convened by the Proprietors or Directors no other business shall be entered on except what relates to the purpose or purposes mentioned in the notice convening such meeting. Convening of Special General Meeting. Proviso.

41. It shall be lawful for the Directors of the said Bank of Bombay, and they are hereby authorised and empowered, with the sanction of the Governor in Council of Bombay, to form such business relations with, and to establish Branch Banks or agencies at, such other places than Bombay as they may deem expedient for the interests of the said Bank; and the Directors of the said Bank shall have full power, as they may think fit, to suspend or discontinue such relations, Branch banks, and agencies, and to make Power to establish Branches.

such regulations for, and impose such restrictions and conditions upon, the conduct and transaction of business by such Branches or agencies as they may think fit, such regulations not being inconsistent with the provisions of this Act, or the regulations and bye-laws for the time being in force and binding upon the said Bank; and for the carrying on, conduct, and management of the business and affairs of the said Bank, so far as the same shall fall tothe part of the said Branch Banks or agencies hereby authorised to be established in accordance with such last-mentioned regulations, restrictions, and conditions, the said Directors may from time to time, by letter of attorney or other deed or writing, appoint, and from time to time remove, such persons as may seem to them proper in that behalf to form a local board or committee of management, or to act as inspectors, managers, or agents of or at such Branch Banks or agencies, and may also from time to time appoint and again remove or dismiss such persons as may seem to them proper in that behalf to act as clerks or servants of or at such Branch Banks or agencies, and may fix the amount of the remuneration, salary, or wages to be paid to the members of such local board or committee, or to such inspectors, managers, agents, clerks, and servants; and the said Directors shall be at liberty, and they are hereby authorised and empowered by the instrument of appointment, or any other letter of attorney, deed, or other writing, to delegate or cause to be delegated to the said boards or committees, or any number of the members thereof, or the said inspectors, managers, or agents, any of the powers and authorities by this Act vested in or made exercisable by them the said Directors, or any of the powers and authorities by Section 28 of this Act vested in or made exercisable by the Secretary and Treasurer, or Secretary alone, or Deputy Secretary of the said Bank, such powers and authorities nevertheless not being inconsistent with and being subject to the provisions of this Act, and the resolutions, regulations, and bye-laws for the time being in force and binding on the said Bank.

Power to take over capital, assets, &c., of any other Bank.

42. It shall be lawful for the Directors of the said Bank from time to time to enter into negotiations for and to purchase and take over the capital, assets, and business of any other Bank within Her Majesty's Indian Territories of which the capital is divided into shares, and to grant and allot to the shareholders or proprietors in such Bank, in full of their respective right, title, and interest in such capital, assets, and business, a sufficient number of shares in the capital stock of the said Bank of Bombay (which number shall be determined by the Directors), and for that purpose increase the capital stock of the said Bank by the issue of such number of shares as may be so determined on. The shareholders or proprietors of the purchased Bank to whom such new shares shall be allotted shall be proprietors of the Bank of Bombay, and be in all respects in the same position as if they had respectively subscribed and paid for the shares so allotted to them: provided always that the business so purchased shall after the purchase be carried on by the said Bank of Bombay with and subject to the several restrictions contained in this Act.

Shares of Proprietors indebted to the Bank.

43. If any of the said proprietors shall become indebted to the said Bank, it shall be lawful for the said Bank to withhold payment of the dividends on the share or shares of such proprietors until payment of such debt, and to apply such dividends towards payment, and after demand or default of payment, and notice in that behalf given either to such proprietors or his or her constituted agent, or by public advertisement in the official *Gazette*, it shall be lawful for the said Bank to refuse registration of the transfer of any such share or shares of such proprietors until payment of such debt, and if the same shall remain unpaid for the space of six months after such notice, to advertise for public sale, and to sell and dispose of such share or shares, or so many of such shares as may be necessary, and to apply the proceeds thereof towards payment of such debt, with interest, at the rate of six per cent. per annum, paying over the surplus, if any, to such proprietors or his or her lawful representative; and the name of the purchaser or purchasers of such share or shares shall be registered as proprietor or proprietors thereof.

Winding up.

44. The provisions contained in Part III. of Act 19 of 1857, intituled "An Act for the Incorporation and Regulation of Joint Stock Companies and other Associations, either with or without Limited Liability of the Members thereof," so far as the same apply to the winding-up and dissolution of limited companies, shall be held and deemed to be applicable to the Bank of Bombay as re-incorporated and re-constituted by this Act, so far as the circumstances of the case will admit of their being so applied as if the same provisions had been incorporated with this Act: Provided always, that the words "the Company" or "a Company," as used in the same provisions, shall be construed to mean "the said Bank of Bombay as re-incorporated and re-constituted by this Act;" that the said Bank, if wound up, shall be wound up by the High Court of Judicature at Bombay, and that the words "the Court," as used in the said provisions, shall be construed to mean the said High Court at Bombay; that, regard being had to the fact that the said Bank is not a registered corporation, the words, "registered offices," as used in the said provisions, shall be construed to mean "the principal place of business at Bombay of the said Bank," and that such of the said provisions as require notices, report, or return to be sent to the Registrar of Joint Stock Companies shall not be deemed applicable to the said Bank of Bombay, but that for the purposes of Section 94 of the said Act 19 (and which section is comprised in the 3d paragraph thereof), the said Bank of Bombay shall be deemed to have been registered at Bombay, and that for the purposes of Sub-Section 2 of Section 95 of the said Act 19 (also comprised in the 3d part) the period of one month therein mentioned,

mentioned, on the expiration of which the said Bank of Bombay shall be deemed to be dissolved, shall commence on the date of publication by the liquidators in manner therein mentioned of such resolution as is therein referred to; that the words "Company in General Meeting," or "General Meeting of Shareholders," as used in the said provisions, shall be construed to mean any extraordinary or ordinary general meeting of the proprietors of the said Bank of Bombay respectively, summoned and held in manner hereinbefore provided, or by the liquidators in manner mentioned in Sub-Section 10 of the said Section 95; and provided, lastly, that the words "Articles of Association," or "Regulation of the Company," as used in the said provisions, shall be construed to mean the provisions of this Act or any resolutions, regulations, or bye-laws for the time being in force and binding on the said Bank of Bombay.

Power of Directors to make, alter, and rescind Bye-laws, &c.

45. It shall be lawful for the Directors for the time being of the said Bank to make and pass bye-laws, regulations, and orders for the good government and in reference to the mode of conducting the business of the Bank, and such bye-laws, regulations, and orders from time to time to modify, rescind, and vary; and it shall further be lawful for the Proprietors of the said Bank at any general meeting, whether ordinary or special, to pass resolutions and frame and from time to time rescind and vary bye-laws, regulations, and orders for the direction of the affairs of the Bank and for the remuneration of the Directors; and the same shall be binding on the Directors and Officers and on the Proprietors of the Bank until rescinded or varied at any subsequent General Meeting: Provided always, that no bye-law, regulation, or order, or alteration or rescission of any bye-law, regulation, or order, whether passed by the Directors or by the Proprietors at a General Meeting, shall be of any validity, except in so far as the same shall be consistent with the provisions of this Act and shall be approved by the Governor of Bombay in Council, such approval to be signified in writing under the hand of one of the Secretaries to the Government of Bombay: Provided always that no such bye-laws, regulations, or orders made by the Proprietors at any general meeting shall invalidate any prior act of the Directors which would have been valid if no such bye-law, regulation, or order had been made. Proviso.

SCHEDULE (A) above referred to.

I, A. B., of (in consideration of the sum of paid to me by C. D. of) do hereby transfer to the said C. D. Share (or shares numbered respectively) in the Bank of Bombay, standing in my name in the books of the said Bank, to hold unto the said C. D., his executors, administrators, and assigns, subject to the several conditions on which I hold the same at the time of the execution hereof: and I, the said C. D., do hereby agree to take the said share (or shares), subject to the same conditions, as witness our hands the day of 186 .

Financial Department.—No. 46 of 1863.

To the Right Honourable *Sir Charles Wood*, Bart., M.P., Secretary of State for India.

Sir,

WE have the honour to forward, for your information, copies of Minutes, as per subjoined list, recorded by the Members of this Government on the subject of the introduction of a Government Paper Currency.

We have, &c.
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Fort William, 15 April 1863.

List of Minutes.

Minute by the Hon. Sir C. E. Trevelyan, K.C.B., dated 28 February 1863.

Minute by His Excellency the Viceroy and Governor General, dated Camp Mozuffernugger, 14 March 1863; concurred in by Major General the Hon. Sir R. Napier, President of the Council, on 28 March 1863.

Minute by the Hon. H. B. Harington, dated 2 April 1863; concurred in by the Hon. W. Grey, on 8 April 1863.

Minute by the Hon. H. S. Maine, dated 4 April 1863.

Minute by the Hon. Sir C. E. Trevelyan, K.C.B., dated 9 April 1863.

Minute by the Hon. H. S. Maine, dated 15 April 1863.

Minute by the Hon. W. Grey, dated 15 April 1863.

Enclosure to No. 46 of 1863.

Minute by the Honourable Sir *C. E. Trevelyan*, K.C.B.

It becomes my duty to submit my opinion upon the important subject of the arrangements for the introduction of a Government Paper Currency, upon which a final reference has been made for the instructions of the Secretary of State.

To a certain extent all who have taken part in the discussion are agreed.

It is agreed that the amount of notes issued on Government Securities should be maintained at a fixed sum within the limit of the smallest amount which experience has proved to be necessary for the monetary transactions of the country, and that any further amount of notes should be issued on coin or bullion, so that the mixed currency of notes and coin should vary in quantity exactly as if it were wholly of coin.

It is also agreed that "to obtain the conditions" (I am using Mr. Wilson's words) "of a safe and secure Paper Currency, and to maintain its value at all times to the full of the coin it represents, and so to prevent depreciation, the great essential is that it shall at all times be convertible on demand, and at the will of the holder, into such coins on presentation to the issuers of the paper."

Mr. Laing has expressed his opinion on this point as strongly as any of the other authorities, as will be seen from the following energetic expressions:—

"I have witnessed the effects of an inconvertible paper circulation in Austria, and nothing but actual experience can convey an idea of its ruinous effects.

"An element of uncertainty and gambling is introduced into every transaction of daily life.

"Every creditor is defrauded when paper falls in value; every debtor suffers when it rises. Even the peasant who brings his corn to market, or who buys a coat or pair of shoes, has to study the exchange quotations in the price-current, in order to know whether he is paying or receiving a fair price; and it often happens that before he gets home a fluctuation in the quotations has converted what he thought a good bargain into a bad one.

"In short, the effect of a depreciated and fluctuating small-note inconvertible currency is utterly demoralising; and of all the expedients which a Government could resort to for raising money, this is unquestionably the most costly and the most burdensome.

"I assume therefore that, in accordance with the opinion intimated by Sir C. Wood, the first consideration in introducing a system of Paper Currency in India must be to place its convertibility beyond question."

The divergence of opinion has reference to the means by which this convertibility is to be maintained.

Mr. Wilson's proposition is, "that the only means by which a Paper Note Circulation can be extensively applied to India, such as shall be universally current, and can be safely made a legal tender, is through the agency of the Government, and that it possesses means peculiarly favourable for the useful exercise of such a function."

Mr. Wilson also takes pains to show that the conditions for a legal-tender paper money are inconsistent with the other business and obligations of Banks. "Banks of Issue," he says, "have a variety of claimants—depositors, holders of their drafts or bills of exchange, and note-holders. To set aside as large a portion of their assets in coins and securities as would be required to cover their note issues for the particular use and security of one class of their creditors, would be to reduce the security of the others, and, in the event of a failure, would lead to a direct preference of one class of creditors to the injury of the others."

Sir Charles Wood—who, quite irrespective of his official position as Secretary of State for

for India, is one of the highest authorities on this class of subjects—entirely coincides in Mr. Wilson's view.

Mr. Laing, on the contrary, prefers the agency of Banks; and he says that if he had consulted his own views only, he should have appointed the Bank of Bengal sole agent of the Government in the Bengal Presidency, both for treasury business and currency, and have put it in effect on the same footing as the Bank of England.

A modified arrangement was, however, adopted out of deference to the known views of the Secretary of State, by which Mr. Laing hoped that, while the objects he had in view would be substantially obtained, the principle of a Government issue would be strictly upheld.

According to this arrangement, the Master of the Mint at Calcutta is the Commissioner of Currency for the entire Bengal Presidency. The notes are all originally issued by him, and he holds the coin, bullion, and securities which the notes represent. But an agreement has also been entered into with the Bank of Bengal by which that Bank has been constituted, as it is now described, not an agency for issue, but an agency for circulation after issue, and the Bank is allowed a commission of $\frac{3}{4}$ per cent. upon all notes in circulation for which it has paid coin or bullion. "For this commission," Mr. Laing explains, "the Bank undertakes the whole of what may be called the retail work of issuing and cashing notes across the counter, and for small amounts; the whole correspondence as to notes lost or stopped payment; the whole risk of loss from forgeries, &c.; and what is the most important of all, they undertake to establish Branches wherever desired by the Government, and to provide at them, at their own risk and cost, the means of cashing all Government Notes which may be presented in the ordinary course of business."

Besides Mr. Laing's general preference of Banks to Government agency, he urges two special reasons for the arrangement recommended by him.

The first is, that it was necessary "to ensure an uniform note currency for the whole Presidency, which could be attained in no other way than by an arrangement making it worth the while of the Bank to maintain considerable cash reserves at a number of provincial cities, and to run the risk of heavy expense in transferring coin rapidly from Calcutta to any branch where it was required." Mr. Laing elsewhere observes: "No one acquainted with India can doubt that the chief advantage looked for from a Paper Currency would be lost if it were not uniform. If a traveller, starting from Calcutta for Peshawur, had, five or six times in the course of his journey, to go to a banker or money-dealer and get his notes changed, probably at a discount, for notes of a new Circle, it is almost certain that he would prefer taking with him, as at present, a bag of rupees. In India distances are great, communications imperfect, the Native population generally ignorant and suspicious with regard to monetary matters, and money-changers accustomed to exorbitant rates and anxious to retain their business. To divide India, therefore, into some 40 or 50 different Currency Circles, would have been to create a state of things like that which before the general introduction of gold existed in Germany, where the original thaler or florin of the unhappy traveller soon dwindled down to half its amount in exchanges, at the frontiers of a succession of petty States."

The other reason urged by Mr. Laing is that the Bank agency is the most economical. "It is clear," he observes, "that the Government could not have established Commissions of Issue of its own for anything like the sum which it pays the Bank. In the Presidency towns a large building must have been built or hired in the centre of business, with ample counter accommodation and a number of clerks. In the provinces there could not have been fewer than 20 Circles of Issue, at the centre of each of which, in some large town, there must also have been a commodious office and a separate establishment. This establishment could not have been very cheap, for a Deputy Commissioner, charged with the currency, must have been a man of a superior stamp and well paid; and with large cash transactions and stocks of notes, he must have had one or more well-paid assistants to act in case of his illness or absence. I doubt if a State Currency Commission, to do the work of a Bank, could have been established for less than 6,000*l.* or 8,000*l.* a-year in Calcutta, and an average of 1,500*l.* or 2,000*l.* a-year for each Provincial Circle, in which case it must have cost the Government at least twice as much to do the work as it will pay by employing Bank agency."

According to Mr. Laing's arrangement the Branch Banks are not under an absolute obligation to cash the Government notes, but are only expected to do so "under all ordinary circumstances." "Practically," he says, "the Branch Banks would generally be ready to cash Presidency notes issued by their parent Banks as a matter of accommodation to their customers, and thus the advantages of an uniform circulating medium would be to a great extent attained." He even contemplates the case of a Branch Bank having, under certain circumstances, to suspend cash payments. "In the extreme case of a Bank being obliged to postpone for a day or two, until it can receive a remittance from Calcutta, the accommodation of cashing notes which is afforded to the public as a matter of convenience and not of legal right, the consequences are far less serious than if the Government had failed in fulfilling a legal obligation."

Having thus stated as clearly as I can the main points at issue, it is time that I should express my own views.

I hold in the strongest manner the opinion that absolute, instant, never-failing convertibility is essential to a Government Paper Currency. We owe this to our subjects, whose specie and bullion we take in exchange for our promises to pay, and in reference to whom we invest with the character of legal tender, notes which would defraud them of their due

if they were not instantaneously payable in specie. We owe it to ourselves that our notes should not be returned to their holders dishonoured in any quarter where there can be even a semblance of claim to receive their value in specie. And we owe it to society at large, which has now for the first time an opportunity of seeing tried, on a large and favourable field, an experiment, to which many of the ablest and clearest thinkers on the difficult subject of currency attach the highest importance. Conditional convertibility is hardly to be distinguished from inconvertibility. Suspension of cash payments is in every country justly regarded as a symptom of insolvency. An ill-regulated Paper Currency is, as Mr. Laing truly observes, one of the worst evils with which a nation can be afflicted, and the absence of the most perfect convertibility is the most decisive defect in such a currency. It would be far better to have no Government Paper Currency at all than to have one which was in any degree liable to this objection.

I therefore prefer Mr. Wilson's and Sir Charles Wood's plan, because it secures the convertibility of the notes by a self-acting process. A moderate sum, below which the circulation could not by any possibility fall, would be held at the Presidency in Government Securities, and coin would be deposited at the Deputy Commissioners' offices in the provinces to the full extent to which notes would be legally payable there. This plan calls for no effort and occasions no anxiety. All that is necessary is that it should be maintained in existence as a matter of fact, and the Government Currency system will stand like a house founded upon a rock, whatever floods come and winds blow, and beat upon the Public Finances and upon Banking and Commerce.

Banks are acted upon by too many absorbing and deflecting circumstances primarily affecting them as such, to be a proper basis for so delicate an instrument as a system of Government Paper Currency. Twice of late years (in 1847 and 1857) the machinery constituted upon this principle in England has got out of gear, and is it likely that there will be no commercial revulsions in any of the provinces of this great Eastern Empire, where most of the conditions are so much less favourable? It might not be easy to transfer coin rapidly from Calcutta to every Branch Bank where it was required. Commercial panics are epidemic. Indeed the causes which produce them generally affect the entire community in a greater or less degree. In what a position, then, should we be if the Government Currency were dependent upon Branch Banks which had a hard struggle to maintain their own solvency? The Government monetary system ought to be the mainstay to which all would look with confidence when storms arise. How different the result would be if that system were practically identified with the banking system, so that they must be involved in a common catastrophe.

But the inexpediency of this ill-assorted alliance does not depend upon the existence of commercial derangements. There is an ordinary condition which is decisive against it; the course of the internal exchange. It will be seen from the following passage of Mr. Wilson's minute that he was fully aware of this peculiar feature of the Indian commercial and banking system, and carefully considered it, and made a suitable provision for it in the plan of the Government Paper Currency:—

"I reserve at present the question whether all notes may not be made payable at the Presidency capitals within which they are issued. I am inclined to believe such may safely be done without any chance of loss to the Government; but the point requires further consideration. I mean that all notes issued in Bengal, the North-West Provinces, and the Punjab should be payable at Calcutta as well as at the place of issue; and that all notes issued in the Presidencies of Bombay and Madras respectively should in like manner be payable in Bombay and Madras. I incline to think that the course of the exchange between the interior and the shipping ports is always such as would admit of this concession without loss; and, if so, it would be a great advantage to the circulation of the notes. That the tendencies of the exchange will always be, as they in fact are at present, in favour of the interior of India, is plain from the fact that the quantity of produce which comes down for shipment is much larger than of goods going up. At the present time, in the North-West, a bill on Calcutta for 100 rupees may be purchased for 98 rupees, showing a premium of 2 per cent. in favour of up-country. Assuming, then, that it is safe to make all the notes payable in the Presidency towns, the condition of the circulation would be exactly that of Bank of England notes; the notes would be payable for revenue everywhere; each note would be payable in coin at the place of its issue; and all notes of the Presidency wherein issued would be payable in coin at the capital of the Presidency."

Mr. Wilson plainly foresaw that it would be impossible to establish an uniform Paper Currency in the sense of making every note legally convertible into specie in every part of India, without transferring to the Government the expense of conducting the entire remittance and exchange business of this great Continent.

Some indication of the action of this current of the internal exchanges upon the Branch Banks in their relation to the Government Paper Currency may be gathered from the following passage of the last letter to the Secretary of State:—

"These notes have a private Bank mark by which they are recognised at the branches and at the Head Office; those put into circulation by each branch being freely exchanged for coin at their own branch, and if sent elsewhere and paid into any other branch or into the Head Office they are immediately returned to the branch to which they belong: the notes of the Head Office being treated exactly in the same way, except that they are cashed at the branches more charily, and not if apparently employed solely for purposes of remittance."

From this it appears that, notwithstanding the ¾ per cent. paid on the whole of the Government

Government Paper Currency, to make it "worth the while of the Bank to maintain considerable cash reserves at a number of provincial cities," the Bank has established subordinate Currency Circles of its own within the Calcutta Government Circle, and that the "inestimable privilege of an uniform currency" has no existence. Even the notes of the Head Office of the Calcutta Circle are "charily" cashed at the Branch Banks within the Circle, and are altogether refused "if apparently employed solely for purposes of remittance."* This may be prudent banking, but our Government Paper Money ought not to be subjected to such treatment at the hands of our agents whom we pay expressly for the purpose of maintaining it in circulation. If our own agents set the example of refusing to cash our own notes, how can we expect them to be freely taken by the Native merchants and bankers, who look upon them with jealousy both as novelties and as interfering with the large profits they have been in the habit of making from the internal exchange. The Bank of Bengal is obviously acting in two incompatible functions, and is under the necessity of doing, in mere self-defence as banker, what in its capacity of agent for the Government Paper Money does not admit of justification.

In one case only has the Bank of Bengal attempted to maintain the desired uniformity. It was hoped that the neighbouring Branch Bank of Dacca might be worked in real union with the Head Office at Calcutta. With what result may be seen from the following extract from a report from the Branch Inspector, dated from Dacca on the 14th instant—"The supply of notes received this week are being rapidly absorbed by the Shroffs for remittances in return for advances on salt made in Calcutta. If this Circle is to be kept up between Calcutta and Dacca as briskly as heretofore a tremendous balance in hard cash will be the result." Can there be a more decisive proof of the necessity of separating the functions of bankers from those of agents for the currency? This useless accumulation of funds at Dacca ought to be stopped, and the Native merchants ought to be made to pay for the accommodation of enabling them to make their remittances; but this should be done by the Bank in their capacity of bankers, without its involving a breach of their obligations as agents for the Government Paper Currency. If the hands of the Bank were untied by its ceasing to act as agent for the currency it might make large legitimate profits by operating upon the internal exchanges.

The new institution cannot take root and grow under such conditions as these. Sir Charles Wood's opinion that sufficient provision has not been made for the conversion of the notes beyond Calcutta has proved to have been well founded. The desire of Her Majesty's Government that every necessary facility should be given for the substitution of a currency of notes for that of silver as largely as the population will adopt it, cannot be accomplished while this obstacle opposes the extension of the new currency. The note circulation of the Bank of Bengal in January 1862, was 1,820,359 *l.*, while the Government notes which had been issued at Calcutta in February 1863 amounted only to 2,430,000 *l.* The real comparison is even less favourable to the new currency than this, for the returns of the Presidency Banks give only the value of the Bank Notes in circulation and do not show the value of the notes dormant in the tills of the Banks, upon which principle the circulation in Bengal is less now than in 1861, the average of that year having been 1,731,634 *l.* and the active circulation now being 1,608,000 *l.*

The Secretary of State in more than one place raises the question on what principle the $\frac{3}{4}$ per cent. for agency is to be paid. This question has assumed larger proportions. The agency is stated in the last letter to the Secretary of State, not to be for issue, but for "circulation after issue." In the agreement with the Bank of Bengal for the establishment of the Branch Bank at Rangoon (which is not included in any Government Circle of Issue), there is no stipulation either as respects issue or circulation. The Government Paper Currency is not even mentioned in the agreement, and the same course is proposed to be followed in respect to intended new Branches at Agra, Allahabad, Lahore, Lucknow, and Nagpoor. For what service then is $\frac{3}{4}$ per cent. to be paid on the notes circulated through Branches in reference to which no agency exists? If the Bank uses our notes at these Branches it will do so solely for its own profit, and in this respect it will be on the same footing as any other Bank which finds it convenient to employ our notes in the transaction of its business.

I have given my reasons for thinking that, so far from its being for the public interest that Government notes should be introduced to these widely extended regions in the interior without the solid foundation of separate Government Offices of Issue, and with no better guarantee for their conversion into specie than the partial and uncertain action of Branch Banks, it would be a grave public evil. It must be remembered that, unlike Bengal Proper, those provinces have no experience of a note circulation, and that the managers of Branch Banks would be under much less effective supervision at those great distances than they are in Bengal.

Mr. Wilson's opinion on this point will be seen from the following passage of his minute:—"But if the objections to a legal tender note circulation by Banks generally are so strong, in India they become much more so. If it is desirable to establish in any country

* The agreement with the Bank of Bengal in reference to these Branches, which are all within the Circle of Calcutta, was as follows:—"That the said Branch Bank, during the continuance of these presents, shall and will, to the utmost of their power, pay and satisfy, on demand, to the holders, the amount of all Government Currency Notes duly issued within the Circle of Calcutta under the said Act XIX. of 1861, which shall be presented for payment or conversion into cash at the office of the Bank."

country such paper money it is essential that it should be in general use throughout, and issued under a single authority. We have only to consider how impossible it would be for any Banking establishment to extend its agencies over the greater part of India, to see that no such Bank could possibly fulfil the functions of conducting universally the circulation of notes."

In my opinion, therefore, a return should be made to the true principle of a Government Paper Currency. The management of the Government Paper Money should be entirely assumed by the Government. The paper money should be identified with the Government as completely as the silver money is, and the connexion in the popular mind should be, not with Banks with their prevailing mercantile associations, but with the permanent character and inexhaustible resources of the Government. Certain places should be fixed at which notes would be exchanged by Government officers for coin, and coin for notes; and this limited obligation should be fulfilled absolutely, instantly, and without any liability of failure.

These places ought, however, to be as few as possible. Calcutta for Bengal Proper, Benares, and Mirzapoor; Cawnpoor for the North-West Provinces and Oudh; Nagpoor for the Central Provinces; and Lahore for the Lieutenant Governorship of the Punjab, will, I hope, suffice as regards the Bengal Presidency. As Madras and Bombay are more compact, and their provinces are united by closer relations with their capitals, it will not, I think, be necessary to have a second place of issue in either of those Presidencies.

The expense of these arrangements will be moderate. The system is so simple, that the most extensive Government note circulation may be safely and effectively managed by a small number of persons. The collectors of Cawnpoor, Nagpoor, and Lahore, with the assistance of a few well-selected and well-paid clerks, would do all that would be necessary in the three new Circles. The verification of the notes, and the correspondence as to notes lost or stopped payment, are duties which, however important they may be, do not take up much time. The risk of loss from forgeries has happily proved not to be great.

Although Banks are out of place as official agents for the Government Currency, they have an important part to perform even as regards that Currency. For their own sakes, they will extensively use the Government notes, and in this sense they will be voluntary unpaid agents for the Currency. This will be a relation of mutual benefit. The Banks will take the notes as they want them, and will use them for their own purposes, without the embarrassment of any Government connexion.

The support given to industry in other countries by the Scotch banking system, shows what advantage may be expected from the extension of Branch Banks. In this country it would be productive of special benefit, because it would bring British honesty and intelligence and habits of business to bear upon the great Native population. India is not like America and Australia, where everything has to be created. There are enormous ready-made resources here which only have to be brought into relation with European civilization, and if our merchants and bankers take up the position in India which has long been occupied by our civilians and military men in their own sphere, I do not see any limit to the prosperity of this great country. All our Banking establishments at Calcutta will, I hope, seriously consider about forming branches in the interior in connexion with the railways, and under the protection of the new police, and of the improved judicial system supervised by the High Court.

I am also entirely in favour of employing Banks to hold the Government Balances and make the Government payments; and the most obvious public convenience requires that, as far as possible, the same Bank should be so employed. The arrangement with the Bank of Bengal has, however, been framed on a novel and very inconvenient principle. Instead of making a payment to the Bank for service performed, and giving it the use of the Government Balances, whatever they may be, a payment is made, and a minimum is also fixed, with the understanding that if the Government Balance falls below it, interest will be paid to the Bank on the difference. The consequence of this is a complication of account, and a serious counteraction of the tendency to a concentration of balances, which should be cultivated as an essential part of every sound system of finance. We are now actually called upon to pay interest on a supposed deficiency at Bombay, although we keep up our balance there to the extent of our local wants, and our balances elsewhere are greatly in excess of our wants. It would be far better to increase the direct payments made to the Bank to the full level of the value of the service performed, and to retain entire freedom in the management of our balances.

We should, I think, enter into arrangements with the Bank of Bengal on this principle, for their doing our business, wherever it would be for our mutual advantage that it should be so done. I am only doing common justice to the Bank of Bengal, in saying, that it is at present managed in a very able and public-spirited manner. The strictures it has been my duty to make have been entirely confined to the official agency of the Bank for the Government Currency as a system. The individual action under that system is entitled only to praise. I should be sorry if the proprietors had to complain of any loss in consequence of changes made at my recommendation. I am persuaded that it will not be so.

In the observations I have ventured to submit, I have argued with as much freedom as if we were not bound by any instructions. Although I have carefully reviewed the present state of the question, my opinions on this subject are not of recent formation, and whatever value may be attached to them, it will not be diminished by their being expressed with perfect candour. It has, however, been seen that my views coincide on all main

points

points with the instructions of the Secretary of State. By acting on these principles, an uniform Currency will be secured, to the fullest extent consistent with safety. When it is remembered that the Government notes will be a legal tender, that they will be everywhere receivable in payment of Revenue and other Government dues, that the notes, wherever issued, will all be payable at Calcutta, and that Banking Companies, some of which already have Branches at the principal places on the route, will certainly use them for their own advantage, I shall be surprised if a traveller has to change his notes between Calcutta and Peshawur, except in payment of his expenses. My reasoning, of course, applies *mutatis mutandis* to Madras and Bombay, as well as to Bengal.

C. E. Trevelyan.

Calcutta, 28 February 1863.

MINUTES.

By His Excellency the Viceroy and Governor General.

As none of the correspondence which has taken place with reference to the introduction of a Government Paper Currency, accompanies the Minute by Sir C. Trevelyan on this subject which has been sent up to me, I am hardly in a position to do it justice.

Nevertheless, I think that my recollection of the tenor of that correspondence and of the terms of the arrangement with the Banks, is sufficiently accurate to enable me to say what is necessary for the present occasion.

When the Despatch of the Secretary of State commenting on this arrangement was received, I thought it due to Lord Canning and Mr. Laing, by whom it had been matured, to point out to Sir Charles Wood certain misapprehensions respecting its practical working, into which he seemed to have been led by the looseness of the phraseology in which the Agreement for giving effect to it had been conceived.

Having, however, submitted to the Secretary of State the observations which I deemed to be necessary, in order to remove these misapprehensions, I have no intention to say more upon the subject. I am by no means of opinion that the arrangement in question is above reproach, and having placed the facts of the case fairly before the Secretary of State, both in justice to my predecessor, and with the view of imparting to the action of the Indian Government, on so momentous a subject, as much of consistency as possible, I am prepared to accept without further discussion his decision on a matter concerning which he speaks with great personal authority, independently of that which attaches to his Office.

I must, however, say, that I do not very clearly gather from Sir C. Trevelyan's Minute what are the precise changes in the existing arrangement which he proposes to introduce.

If he merely intends to establish in the Bengal Presidency four Centres of Issue for one, leaving the other parts of the arrangement intact, I cannot but think that such phrases as "I hold in the strongest manner the opinion that absolute, instant, and never-failing convertibility is essential to a Government Paper Currency," and "In my opinion, therefore, a return should be made to the true principle of a Government Paper Currency," are too large to describe the scheme which he recommends as contrasted with that of Mr. Laing. No doubt if even this measure be adopted, the credit of the Government Note will be better assured at Cawnpore, Nagpore, Lahore, and places in the vicinity of these towns, than it now is, when cash can be peremptorily demanded for it only in Calcutta, but at points remote from those Centres of Issue, the convertibility of the note at par will still, I apprehend, depend, firstly, upon its being a legal tender, receivable in payment of Revenue and other Government dues, which is a feature common to all the schemes; and, secondly, on the extent to which the Branch Banks consider themselves to be bound, by the terms of their agreement with Government, to cash notes on presentation. The presumption that a note for which cash can be imperatively demanded at Cawnpore will be held in the distant parts of the North Western Provinces to possess the quality of absolute, instant, never-failing convertibility, while the same note, if equally payable only in Calcutta, will not have this quality, rests, as it appears to me, on no sufficient proof.

If, however, Sir C. Trevelyan proposes, not only to increase the Centres of Issue in the Bengal Presidency from one to four, but also to abolish the payment of ¾ per cent. on their circulation of Government Paper to the Banks, and the obligations which the Banks have assumed in consideration of this payment, the change effected by the adoption of his plan will be more material. It will tend, in my belief, to prevent the notes from circulating, in districts which are removed from the Centres of Issue, as freely as it might be expected to do under the arrangement with the Banks that is now in force. But it will no doubt make the separation between Banking and the Government Paper Currency more distinct and palpable, and the gain on this head may perhaps be held to be more than a compensation for the loss on the other.

I have assumed that the engagements into which Government has actually entered with the Banks will be carried out in good faith, and that, during the period for which they have been contracted, no attempt will be made to alter them, save with the Banks' consent.

14 March 1863. *Elgin and Kincardine.*

I concur with His Excellency the Governor General.

28 March 1863. *R. Napier.*

By the Hon. *H. B. Harington.*

I DO not know whether Sir Charles Trevelyan, in writing his Minute dated the 28th February last, had any object in view beyond placing on record his opinion on the subject of the arrangements which have been made in connexion with the introduction into India of a Government Paper Currency. It seems to me that it can answer no useful purpose to enter into a further discussion in this country, at the present time, as to the merits of those arrangements, and as to whether they are sound in principle and judicious, or otherwise. The orders of the Secretary of State on the Despatch sent home some weeks ago, in explanation of the arrangements in question, may be expected very shortly, and whatever those orders are, the Government will probably be prepared at once to give effect to them, so far as it may be in its power to do so. Pending the receipt of the orders of the Home Government, I apprehend that nothing more can be done in this country, and that the existing arrangements must continue. As noticed by His Excellency the Governor General, the question upon which this Government and the Home Government are at issue has been referred to that Government, and we are prepared to accept the decision of the Secretary of State without further discussion. I must, however, say, after reading the Minutes of His Excellency the Governor General and Sir Charles Trevelyan, that I concur generally with His Excellency, and that I entertain a very strong opinion that if India is to be divided only into the small number of Circles proposed by Sir Charles Trevelyan, the public, so far as the convertibility of the Government Notes is concerned, will not find itself practically, in many parts of the country, in a better position than under the existing arrangements, but the contrary.

2 April 1863. *H. B. Harington.*
8 April 1863. *Wm. Grey.*

By the Hon. *H. S. Maine.*

I DO not find that I have anything to add to the observations made in the Note which I wrote when the papers were before me on a former occasion. I agree with the Governor General that, so far as the convertibility of the Notes is concerned, if Sir Charles Trevelyan's proposal is to be interpreted as His Excellency interprets it, and as I myself should be inclined to construe it, there is not much to choose between the arrangement suggested and that now in force. But I have so strong an opinion on the desirableness of severing Banking from Issue, that a very slight advantage in respect of securities for convertibility would lead me to prefer that even now the system of Circles of Issue should be substituted for the system established by Mr. Laing.

H. S. Maine.

4 April 1863.

By the Hon. Sir *C. E. Trevelyan*, K.C.B.

AFTER reading the Minutes which have been recorded by His Excellency the Viceroy and the President and Members of Council on my Minute, dated 28th February last, on the subject of the Paper Currency, I wish to submit a short explanation on two points.

1st. My object in recording the Minute was, as indicated in the first paragraph of it, to fulfil the duty I owed to the Secretary of State by giving him such aid as was in my power in the decision of an extremely important question specially connected with my Department which had been recently referred for his decision. The Despatch so referring was dated on the 2nd of January last, and I took my seat in Council on the 13th idem.

2nd. An impression appears to prevail that the Circles of Issue proposed by me are too large to support the credit of the Government Notes. I cannot explain the view I take of this part of the subject better than by observing that the Continent of Europe offers a fair analogy in this respect to the Continent of India. Spain, France, and Germany are essentially distinct communities; and supposing them to be united under the same Government, a single centre of convertibility at Paris would hardly be considered so satisfactory a basis for a Government system of Paper Currency as a separate centre in

in each of the three countries concerned. In like manner, Bengal Proper, the North-West Provinces, including Oudh, the Central Provinces, and the Punjab, each form separate communities which are united by a common intelligence within themselves, but have little knowledge of what passes outside their respective limits. If, therefore, there is one place within each of these provinces at which it is known that the Government Notes will be cashed as soon as presented, enough will, in my opinion, be done, in addition to their being a legal tender and to their being receivable at every Treasury in payments to the Government, to secure the credit of the Notes, and the Banks may then safely be left to deal with them as they consider most for their advantage.

C. E. Trevelyan.

Calcutta, 9 April 1863.

By the Hon. *H. S. Maine.*

I TRUST that the Minute recorded by the Hon. Sir Charles Trevelyan on this subject does not indicate an impression that there is any difference of opinion between himself and the other Members of the present Government of India as to the principle of the absolute convertibility of Notes, or that this Government, before he joined it, had failed to perceive and condemn the confusion of idea as to the distinction between "Issue" and "Circulation" which is betrayed by the text of the Agreement between the Government and the Banks. In order to show, for myself, that the grounds of my concurrence in the resolution to refer the matter anew to the Secretary of State, were not inconsistent with the views which Sir Charles Trevelyan himself expresses, and which he, no doubt rightly, attributes to Sir Charles Wood, I must beg to quote a part of the observations which I put on paper, when the question was before the Government in December last (13th December 1862).

"The restrictive character of the 28th Section of the Charter Act depends on the meaning to be attached to the words 'Agency Department.' If, as the Secretary informs us, the Agency Branch is quite distinct from the Banking Department, so that the words always bear the same fixed sense in the proceedings of the Bank of Bengal, I think that a court of law would insist on reading them in this sense, and would prohibit the Bank from dealing in the exchanges, except for the purpose of remitting dividends homewards. This should certainly be fully explained to the Secretary of State, as I am not aware that the words in the language of English Banking ever bear the meaning now attributed to them; to persons unfamiliar with it, the phraseology of the section is dangerously loose.

"It must be confessed that the wording of the Agreement is not at all felicitous, and that it is calculated to create the effect which it seems to have produced on the mind of the Secretary of State. I have no doubt that the suggestion of Mr. Drummond is well founded, and that the framers of the Agreement did not quite appreciate the distinction between 'Issue' and 'Circulation. I concur in thinking that the intended meaning should be explained to Sir Charles Wood, and also that he should be made aware of the power which the Government has of compelling the Bank to act on the true meaning of the Agreement, through the influence which it exercises in the Direction."

With reference to the comparative "effectiveness of the Bank Agency system and of the system of Circles of Issue in insuring the convertibility of the notes, and augmenting their credit, I quite agree with his Excellency the Governor General that there are advantages and disadvantages attending either of them, and that a reference should be made to Sir C. Wood on the question whether it is worth while going to so great an expense as would be involved in the establishment of Circles of Issue for the sake of a result which may not follow. The small practical importance which, as it seems, a Paper Currency is likely to have in India for some time to come will doubtless be an ingredient in the Secretary of State's decision.

"In regard to the separation of Issue from Banking, if the Government of India had not embarked in the concerns of the Bank of Bengal otherwise than by employing it as an Agent for issuing notes, I should have thought that the extreme desirableness of keeping the issue of notes clear from all association with Banking business was even now a sufficient reason for reverting to Mr. Wilson's original plan, so far as it contemplated the exclusive employment of Government Offices in the issue of notes to the public. I quite admit the force of Mr. Drummond's remarks, and I see that the separation of Banking from Issue is much more strongly marked in the new Indian system than in that of the Bank of England, although even there, so far as the letter of Sir R. Peel's Act is concerned, the separation is marked plainly enough. But if the facts as respects the Bank of Bengal had been as I at first supposed them to be, I should have regretted losing the opportunity of striking a fatal blow at the fundamental fallacy which misleads people on these subjects. I believe that the mischievous delusion which induces the commercial world to suppose that at periods of panic it is the duty of Government to lend money, or rather to create it for the sake of lending it, to hard pressed speculators, has its source, not in any exaggerated estimate of the powers of Government such as prevails in the European Continent, but simply in the associations imbibed through the connexion of Governments with great Banks, and more particularly through the old confused system which used to prevail in the Bank of England previously to 1844. These associations,

which appear to overpower men's minds at seasons of panic, have twice brought about the suspension of Sir R. Peel's Act in spite of the most absolute prohibitions on paper; and I am not sure that, slight and remote as is the connexion of the Bank of Bengal with the issue of notes, and purely ministerial as is its office, that connexion might not still tend in some degree to encourage a clamour for tampering with the Currency in times of distress. The danger, I admit, is very far from obvious or imminent; but the true test of all Currency arrangements is the strain they are capable of bearing in commercial crises; and I cannot help feeling that this is the weak point of the new Indian system, and that it is just here perhaps that the idea will creep in, which becomes so formidable in panics, that Government is in fact a great Bank, differing only from other Banks in the possession of unlimited resources.

"It is, however, a sufficient answer to this, though anything but a satisfactory one to my mind, that the Government of India is already so much mixed up with the Bank of Bengal in its character of Shareholder, and in its possession of a powerful voice in the management, that if the Bank were hard pressed, the Government could not help coming to its aid, either by the Cash Balances or by issuing notes not secured exactly as the present Law directs. This anomalous partnership is much more likely to draw down the consequences I have been deprecating than the remote connexion established by the recent Acts; and I do not, therefore, think that much would be gained by dissolving the Bank Agency."

It will thus be seen that the strong inclination of my mind was towards a system of Circles of Issue rather than towards the system set on foot by Mr. Laing. But I concurred in the reference to the Home Government (1), because Mr. Laing's system was actually in force, and because in India there are the weightiest permanent reasons against changes of policy; (2) because no modification of Mr. Wilson's plans, which was practicable without very heavy expense, seemed to me to have much advantage over Mr. Laing's in insuring the convertibility of the paper; and (3) because the advantages, which might have been derived from the total separation of Banking from Issue—advantages which are, in my judgment, of the utmost moment—appeared to be best realised by the peculiarities in the position of the Government of India which are mentioned above. Sir C. Trevelyan's present proposal is one of a class which was constantly present to my mind at the time, but which did not seem to me to have sufficient recommendations to warrant the subversion of existing arrangements, at least without a direct order from the Secretary of State.

15 April 1863. *H. S. Maine.*

By the Honourable *W. Grey.*

THERE is no doubt that Sir Charles Trevelyan's first Minute dated February the 28th may easily be read as signifying an opinion that while the arrangements made by the Government will inevitably fail to secure the convertibility of the Note, the plan advocated in the Minute will as certainly accomplish that object.

The two paragraphs which follow one another, the one commencing "I hold in the strongest manner," and the other, "I therefore prefer Mr. Wilson's and Sir Charles Wood's plan, because it secures the convertibility of the Notes by a self-acting process," can hardly indeed be read in any other sense.

That the convertibility of the Note, speaking in a broad sense, is perfectly secured by the general arrangements which have been adopted by the Government of India with the approval of the Secretary of State, is, however, beyond question. In these arrangements the true principle of a Paper Currency has been scrupulously observed, and it is impossible that the Government should ever be compelled to suspend cash payment for its notes as long as the system on which the Paper Currency has been launched remains in force.

I assume, therefore, that Sir Charles Trevelyan intended in his Minute to raise only the same question which is discussed in the Secretary of State's Despatch of September the 16th, namely, whether adequate provision has been made for the convertibility of the notes,—that is, for their practical, every-day convertibility—beyond Calcutta. This seems to be entirely a question of practical management, and not at all a question of principle. The point is, whether the establishment of three additional Offices beyond Calcutta, at which payment of notes issued from those offices will be legally demandable, will have the effect of rendering the notes generally more acceptable to the mass of the community—in other words, give the notes greater credit—than the plan which has been adopted by the Government of India.

I do not think that the establishment in the Bengal * Presidency of four Circles of Issue in place of one would have this effect, because, speaking generally, the measure would not increase the practical facilities for changing notes throughout the country at large. The Secretary of State has said that "it is not by the notes being actually converted, but by general confidence in their convertibility," that he anticipates their becoming part of the ordinary circulation of the country. Nothing can be more true than this; but it cannot reasonably be supposed that the general confidence spoken of is to be obtained by the mere establishment in all India of six Circles of Issue instead of three, and of six places instead of three at which coin can be legally demanded for notes. Yet this is the material difference

* *i. e.*, including the Punjab, Oudh, and Central Provinces.

difference between the arrangement already made by the Government of India and that which is recommended by Sir Charles Trevelyan in his Minute.

There can be no doubt, I think, that in order to bring the notes into general favour by creating a confidence in their easy and ready convertibility, the Government must rely mainly upon the practical facilities for the conversion of notes into coin which will exist in every district and every town, and under no circumstances can it be expected that so desirable an object will be quickly attained. It must necessarily be a work of time.

W. Grey.

April, 15 1863.

Financial.—No. 103.

To His Excellency the Right Hon. the Governor General of India in Council.

My Lord, India Office, London, 10 June 1863.

Para. 1. I have received your Financial Letter, dated 2nd January 1863, No. 1, replying to my Despatch of the 16th September last, No. 158, relative to the measures adopted by you for transferring the Government Treasury business to Banks, and for the introduction of a Government Paper Currency into India; and I have also received your Financial Letter, dated 15th April last, No. 46, forwarding minutes by the several members of your Government on the same subject.

2. I have carefully considered in Council your observations in reference to the arrangements which you have made, for the employment of the Bank of Bengal and its branches in connection with the issue and circulation of notes; but the perusal of them has not removed the objections which I have always entertained and expressed to such employment of the Bank.

3. A great defect of your arrangements is, that no adequate security is provided for the convertibility of the notes, especially in parts of India distant from Calcutta, although it is certain that the most complete confidence on this point is indispensable to the success of the circulation of the Government Notes.

4. I pointed out, in my former Despatch, that your having relieved the Bank from the necessity of holding one-fourth of its liabilities, payable on demand, in specie, necessarily diminished the coin available for the convertibility of the notes.

5. Your arrangements have, however, a further tendency to diminish the coin available for the conversion of notes, for the explanation contained in your Despatch, of the principle on which the payment of three-quarters per cent. is to be calculated, shows that the Bank has every inducement to hold as little coin, and as large an amount of notes, as possible, in its reserve. You state that the three quarters per cent. is to be paid on all notes for which the Bank has given bullion or coin. It will be payable, therefore, on all notes kept in reserve by the Bank, whilst on coin so kept it would of course receive nothing. It is obviously, therefore, the interest of the Bank to keep notes, and not coin, in its reserve.

6. With respect to the Branches of the Bank of Bengal, the duty of cashing the notes is not even imposed on them. They are only expected to do so, as stated in your Despatch, "in ordinary circumstances," and in Mr. Laing's Minute, the cashing of notes at the Branches is spoken of as "an accommodation to the public, as a matter of convenience," and not as "a legal obligation."

7. I readily admit that this is as much as can fairly be expected from a Banking establishment, which is altogether unconnected with the Currency, but it certainly is not the sort of security for the convertibility of its notes which Government is bound to provide.

8. You stated that one of your principal reasons for not adopting the system of Circles, and for using the Bank as the Agent of the Government was, because you conceived that the latter course of proceeding ensured the advantage of an uniform Currency, which would be impossible with different Circles of Issue.

9. I observe, however, that, under the system which you have adopted, even within a much more limited area round Calcutta, the notes of the Branch Banks are put into circulation with a mark upon them, indicating the place of issue, "those put into circulation by each Branch being freely exchanged for coin *at their own Branch*, and if sent elsewhere, and paid into any other Branch, or into the Head Office, they are immediately returned to the Branch to which they belong."

10. I do not see in what respect this system differs from that which I had recommended for the Circles of Issue, with one exception;—the notes issued at each centre of a circle would have been legally convertible there, whilst, according to your plan, the notes are only to be freely exchanged at the place where they are put into circulation.

11. It is obvious that the same degree of uniformity exists in both plans, whilst, according to my directions in regard to circles, actual convertibility at each Centre of Issue of the notes issued at such centre would be secured.

12. I remain, therefore, of opinion, that the only sound system for the management of the Paper Issue in India is, that it should be entirely in the hands of the Government, and that the Bank should have no connection whatever with it; and I adhere to that which I conveyed to you in paragraph 31 of my Financial Despatch of the 16th September 1862, that it is "wise to entrust to Government agency, and to Government agency alone, the issue of Paper as well as of metallic money, combining as far as possible both measures in the same Department of Government, and to leave to Banks only the exercise of legitimate banking functions."

13. I am equally certain that, in the exercise of its legitimate functions, the Bank would essentially promote the circulation of notes, as I pointed out to you in the subsequent paragraphs of that Despatch.

14. I have, therefore, to desire that you will, at the earliest period in your power, take measures for carrying into execution the instructions contained in that Despatch,—

1st. That the notes in Calcutta should be issued by the Commissioner at the Mint, and that the means of verifying the notes and exchanging notes for bullion and coin, and *vice versâ*, should be established there.

2d. That at certain places, which probably need not exceed five or six in Bengal and the Upper Provinces, Offices should be established for the issue and exchange of notes.

3d. That these notes should differ from the Calcutta Notes only in having the name of the place of issue marked upon them; should be convertible of right only at the place of issue or at Calcutta; should be receivable everywhere at Government Treasuries in payment of taxes, and should be converted at any other place of issue, if the officer anticipated no risk in doing so.

15. I merely point to these general measures, and for any further details I need only refer you to my former Despatches, and especially to my Financial Despatch of 2 May 1861,* requesting you to keep in mind the fundamental principle that the Bank is to have no part in the management of the Currency.

16. An obstacle may exist in the Agreement with the Bank of Bengal for the management of the issue and circulation of notes, receiving a payment of three-quarters per cent. on the notes taken over by it. As the Agreement is only for five years, and as by the change above directed the Bank will be relieved from considerable expense and responsibility, they may not be unwilling to come to an arrangement for cancelling the Agreement and dispensing with the payment, and I shall be ready to view favourably any proposal which you may make for this purpose.

17. I entirely

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* Financial Letter to India, dated 2d May 1861, No. 75 :—
Extract. para. 32. "The issue of notes should, therefore, be kept quite distinct from any Banking establishment, and the supply of notes to any Banks must be on precisely the same terms as to any other person."

17. I entirely approve of your placing the whole of the Treasury business in the hands of the Bank of Bengal and its Branches, as pointed out in paragraph 57 of my Financial Despatch of the 16th September 1862. I am also in favour of your encouraging the Bank to establish Branches in different parts of the country, to which the Government Treasury business of the place may be transferred.

18. I apprehend that, in confiding to the Bank of Bengal and its Branches the management of the Treasury business, you will be able, without detriment to the public interests, to extend such advantages to the Bank as will fairly compensate it for any loss to which it may be exposed from the withdrawal of the three-quarters per cent. on the Currency business. I should hope, therefore, that you will not find much difficulty in this matter.

19. I cannot, however, give up the condition on which alone any Bank can be entrusted with the Government business, and that is, that it should be debarred from dealing at all in foreign exchanges.

20. I believe that, by the establishment of a great Bank entrusted with the business of the Government, important advantages may be secured, not only to the Government, but also to the public and to the Bank itself; that, without loss or danger to the Government, great benefit may be obtained by the Bank, from its connexion with the Government, but it is essential for the security of such operations that the business to be conducted by it should be legitimate Banking business, and that it should abstain from all speculative commercial transactions.

21. The same course should be adopted also in regard to the Banks of Madras and Bombay, and probably but little difficulty will be found in those Presidencies, as the arrangements have not proceeded so far as in Bengal. Copies of this Despatch will, therefore, be sent to the Governments of Madras and Bombay for their guidance.

I have, &c.
C. Wood.

Financial.—No. 38 of 1863.

To His Excellency the Honourable the Governor in Council, Fort St. George.

Sir, India Office, London, 16 June 1863.

I FORWARD in the Packet, for your information and guidance, copy of a Financial Despatch,* which I have addressed to the Government of India, on the subject of the measures adopted by that Government for transferring the Government Treasury business to Banks, and for the introduction of a Government Paper Currency into India.

* Dated 10th June 1863, No. 103.

I have, &c.
C. Wood

Financial.—No. 69.

To His Excellency the Honourable the Governor in Council, Bombay.

Sir, India Office, London, 16 June 1863.

I FORWARD in the Packet, for your information and guidance, copy of a Financial Despatch,* which I have addressed to the Government of India, on the subject of the measures adopted by that Government for transferring the Government Treasury business to Banks, and for the introduction of a Government Paper Currency into India.

* Dated 10th June 1863, No. 103.

I have, &c.
C. Wood.

(Financial, No. 62 of 1863.)

To His Excellency the Honourable the Governor in Council, Fort St. George.

Sir, India Office, London, 15 August 1863.

I HAVE considered in Council your Financial Letter, dated the 25th March 1863, No. 5, forwarding copy of correspondence with the Government of India, and the Bank of Madras, relative to the transfer of the Government balance in the Treasury at Cochin, to a Branch of the Bank of Madras established there, and to the proposal of that Bank in regard to similar arrangements at Cocanada, Ootacamund, and Negapatam, in the event of Branch Banks being established at those places.

2. You will have observed from my Financial Despatch to the Government of India, dated the 10th June last, No. 103, copy of which was forwarded for your guidance, that I approved of encouragement being given to the Bank of Bengal to establish branches in different parts of the country, to which the Government Treasury business of the place might be transferred; and the same observations apply to the Bank of Madras.

3. It is obviously of importance that the arrangements in regard to Branches of the Bank of Madras should be in accordance with those sanctioned for Branches of the Bank of Bengal, and they should therefore be made in communication with the Government of India.

4. You will of course understand that these Branch Banks are to have nothing to do with any business connected with the arrangements for the Paper Currency.

I have, &c.
C. Wood.

(Financial, No. 92.)

To His Excellency the Honourable the Governor in Council, Bombay.

Sir, India Office, London, 15 August 1863.

I HAVE considered in Council your Financial Letter, dated the 13th April last, No. 8, and its enclosures, and with reference to the application of the Bank of Bombay to be allowed to remit "for the convenience of its constituents in the Agency Department, sums of money to London by its own Bills, and that the Bank should be allowed to provide funds in London, by purchasing here and forwarding to its agents in London Bankers' drafts only," it is only necessary for me to refer to the observations contained in paragraph 19 of my Financial Despatch to the Government of India, dated the 10th June last, No. 103, copy of which was forwarded for your information and guidance, wherein it is stated that the condition on which alone any Bank can be entrusted with the Government business is "that it should be debarred from dealing at all in foreign exchanges."

I have, &c.
C. Wood.

Financial Department.—No. 112 of 1863.

To the Right Hon. Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 7 September 1863.

WE have the honour to acknowledge the receipt of your Despatch of the 10th of June last, desiring us, at the earliest period in our power, to take measures for carrying into execution the instructions contained in your previous Despatch of the

the 16th of September 1862, for managing the Government Note Currency by Government Agency only, and to report the proceedings which have been taken thereupon.

2. You observed that an obstacle might exist in the agreement with the Bank of Bengal for the management of the issue and circulation of notes, receiving a payment of ¼ per cent. on the notes taken over by it; but that, as the agreement was only for five years, and as by the change above directed the Bank would be relieved from considerable expense and responsibility, they might not be unwilling to come to an arrangement for cancelling the agreement and dispensing with the payment, and that you would be ready to view favourably any proposal which we might make for this purpose.

3. You also stated that you entirely approved of our placing the whole of the Treasury business in the hands of the Bank of Bengal and its Branches, as pointed out in paragraph 57 of your Financial Despatch of the 16th of September 1862; that you were also in favour of our encouraging the Bank to establish Branches in different parts of the country, to which the Government Treasury business of the place might be transferred, and that you apprehended that, in confiding to the Bank of Bengal and its Branches the management of the Treasury business, we should be able, without detriment to the public interests, to extend such advantages to the Bank as would fairly compensate it for any loss to which it might be exposed from the withdrawal of the ¼ per cent. on the Currency business. You hoped, therefore, that we should not find much difficulty in the matter.

4. The principle on which these instructions were based was, that a full compensation should be offered to the Bank for the loss of the advantages which it enjoyed under that part of its agreement with the Government which related to its Agency for the Currency. It was, therefore, necessary for us to consider how far the circumstances adverted to by you constituted such an equivalent.

5. The establishment of Branch Banks at the principal places in the interior, with the management of the Government business and the use of the Government Balances, was an advantage which was much pressed by the Bank in the early stage of its present connection with the Government; but as this concession had been already made, it could not be relied upon in our negociation with the Bank.

6. In our letter dated January 2nd last, we stated that we should proceed in our arrangements for the transfer of the Treasury business to Branches of the Bank of Bengal, whenever circumstances appeared favourable, in accordance with paragraph 56 of your Despatch, dated the 16th of September preceding, care being taken that all phrases which seemed to confer on them any power of interference with, or control over the issue of notes, were expunged from the agreements; and the Bank was accordingly informed that we were prepared to transfer to it the Government Cash Balances and Treasury business at Allahabad, Lucknow, Agra, Lahore, and Nagpoor, at which places other Banks or Branch Banks had been previously established. It had been previously announced, in a Notification from the Financial Department, dated on the 27th March 1862, that—"Where there are no existing Banks, arrangements will be made with the Bank of Bengal for the establishment of Branches, if that Bank is willing to undertake them on fair terms for the public."

7. It is also deserving of notice, that, however much it may be for the advantage of the Bank of Bengal to be able to establish Branches at the principal places in the interior, with the use of the Government Balances, the full benefit of this position cannot be obtained until sufficient time has elapsed for new connections to be formed and new channels of business to be opened.

8. You observed that the Bank would be relieved by the change from considerable expense and responsibility; but the advantage of this to the Bank would be diminished by the circumstance which has also on several occasions been alluded to by you, that the Bank would, in the ordinary exercise of its Banking functions, continue most of the operations which it now performs in virtue of its position as Agent for the Currency.

9. Seeing, therefore, that the equivalents adverted to in your Despatch were not available, it became necessary for us to propose some other compensation for the loss the Bank would suffer by consenting to forego the Agency for the Currency. This could only be provided by a commutation of the charge for Agency, at the rate of $\frac{3}{4}$ per cent., which the Bank is entitled, under its agreement, to make upon the daily average amount of notes issued through it. We therefore determined to offer to pay to the Bank an annual sum, from the 1st of January next until the expiration of the agreement, equal to what it would have received under the agreement, for the $\frac{3}{4}$ per cent. commission upon an issue of $2\frac{1}{2}$ crores of rupees. This offer was based upon the then existing circulation; and our proposal, therefore, was, that the Bank should continue to receive to the end of the agreement the full amount actually received by it at the date of our making the offer, without any deduction for expenses and risk, and that the Government should take upon itself the expense and risk of the entire circulation, being only saved the charge for Agency upon any increase that might take place in the circulation previously to the termination of the agreement.

10. As you have always expressed yourself favourably to the employment of banks for the transaction of the Government business, irrespective of the management of the Currency, we took this opportunity of considering whether we could place our relations with the Bank, as such, on a more satisfactory footing. We therefore reconsidered the question of transferring the management of the Public Debt to the Bank, and we arrived at the conclusion that the Bank might, with much general advantage, be at once entrusted with the duty of preparing the Interest Drafts, which are already paid by it; and that the management of the Principal of the Debt might also be transferred, as soon as definite regulations could be laid down for the renewal, consolidation, and subdivision of Promissory Notes. In offering to entrust to the Bank of Bengal the management of the Public Debt, we gave an effectual practical proof of our desire for the continuance of the Banking connexion. Such a transfer would be, in the highest degree, inexpedient, if it were not intended to renew our engagement with the Bank when it expires, at the termination of the remainder of the present short term.

11. The letter which was addressed by us in consequence to the Bank of Bengal will be found in the Appendix No. 1.

12. The answer of the Bank is in Appendix No. 2.

13. It will be seen that, besides the payment of $\frac{3}{4}$ per cent. on $2\frac{1}{2}$ crores of rupees, from the 1st January 1864 to the expiration of the agreement, the Bank stipulates for two further concessions as the condition of its releasing the Government from that portion of the agreement which relates to the Agency for the Currency.

14. Under the agreement, the Bank has the use of the Government Balances for ordinary Banking purposes up to 70 lakhs of rupees; and beyond that sum, the Bank is authorized, at its own discretion, to invest in Government Securities, for its own benefit, any further amount from the Government Balances. The amount which has been actually so invested is $79\frac{1}{2}$ lakhs of rupees, the value of which has been enhanced, by the rise in the price of Government Securities, to about $86\frac{1}{2}$ lakhs. The proposal of the Directors is that they should relinquish this power as to any sum in excess of one crore of rupees, on condition that Government sanctions their investing up to that amount, and undertakes not to adopt any steps that would compel a realization of these securities, except in the case of actual requirement by Government, and then only upon reasonable notice given to the Bank.

15. We cannot recommend the adoption of this proposal. The power possessed by the Bank, of investing the Government Balances at its discretion, requires careful watching under any circumstances. Of late the Government has possessed abundant means; but nobody can say how soon our resources may be again strained, and it would be obviously inexpedient to lock up so large a portion of the Public Balances in public securities, with the risk either of the cash not being forthcoming when it was wanted, or of its not being forthcoming without such a pressure on the money market, by a forced sale of securities, as would occasion or aggravate a serious crisis. If the Public Balances are larger than are wanted

wanted by a million sterling, that amount ought to be invested for the public benefit.

16. The other condition required by the Bank is that the Government will "confirm the existing Banking arrangements for a further period of five years from March 1867." There is nothing inadmissible, in principle, in this proposal. On the contrary, we consider that the increased stability which would be given by a longer engagement to all the arrangements in which the Government and the Bank have a mutual interest, including the Branch Banks, would be a public benefit. It was in this sense that we proposed to transfer the management of the Public Debt to the Bank, which must, as already stated, be regarded as an indication of the intention of the Government to continue the Banking engagement. But the agreement with the Bank ought not to be renewed without a careful reconsideration of the existing arrangements; and it therefore appears to us to be preferable that the Bank should, as proposed by the Secretary of State, consent to relinquish the Agency for the Currency on receiving an equivalent, and that the renewal of the Banking Agreement should be separately dealt with.

17. We are of opinion that the settlement of these arrangements will be simplified and facilitated, if the amount of the compensation due to the Bank for the loss of the Currency Agency is accurately ascertained, and if it be confined to a direct money payment. If the sum offered by us is not really an equivalent for what the Bank would lose by the cessation of the Agency during the remainder of the term of the present agreement, it will be necessary to make an addition to it in order to effect the measure which you have instructed us to carry out.

18. The aggregate of the payments for the three years remaining to complete the engagement on the present issue of notes for all India, would be about $11\frac{1}{4}$ lakhs of rupees. We do not feel ourselves authorized to enlarge our offer without ascertaining your wishes; and as we cannot accede to either of the proposals made by the Bank, and we are not aware of any other alternative than that which has just been named by us, we think it better to remit the whole subject for your further orders.

19. You observe, in the 19th paragraph of your letter of the 10th of June last, that you cannot give up the condition on which alone any bank can be entrusted with the Government business, and that is, that it should be debarred from dealing at all in Government Exchanges.

20. We hoped that the explanation on this point, contained in the 2nd paragraph of our letter of 2nd January last, would have been satisfactory. The Agency for about 8 crores of Government paper was transferred by the Government to the Bank, about half of which was held by persons residing in England, and the interest has to be periodically remitted thither. The Bank must, therefore, buy bills upon England to meet its drafts to this extent, and beyond this it is not authorised to buy any foreign bills. The Charter Act of the Bank is decisive on this point. Section 28—"In addition to buying and selling Bills of Exchange and granting Post Bills payable in India, it shall be lawful for the Bank to buy Bills of Exchange for the purpose of remitting funds to meet Bills or Letters of Credit drawn by the Bank in favour of their constituents in the Agency Department, and to grant Letters of Credit payable out of India for the use of their constituents in the Agency Department." We have heard it argued that, as other Joint Stock Banks are precluded by their charters from carrying on ordinary Banking business at Calcutta, the Bank of Bengal ought not to interfere with their province of the Foreign Exchanges; but the fact is, that the other Banks do carry on ordinary Banking business at Calcutta, and there is no reason why they should be prevented from doing so, while the Bank of Bengal has nothing to do with the Foreign Exchanges, except for the limited object of meeting the above-mentioned just and necessary liability.

21. In this state of the question in Bengal, we have considered it advisable to postpone making any communication to the other Presidencies in reference to the Banks of Madras and Bombay.

22. As the last passage of the letter of the Bank of Bengal might possibly give rise to some misapprehension, we think it is well to explain that, it having been understood that some members of the Bank Direction entertained exaggerated

apprehensions lest the Government might take some action injurious to the uperests of the Bank, if the agreement regarding the currency were not relinintshed on the terms offered, the Secretary in the Finance Department informed the Directors that there was no desire whatever on the part of the Government to make any unfair use of the power it possessed, to obtain any concession which the Directors, acting for the interests of their constituents, were unwilling to make.

We have, &c.
R. Napier.
H. B. Harington.
C. E. Trevelyan.
W. Grey.

APPENDIX No. 1.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to Secretary to the Bank of Bengal, No. 3620; dated 7th August 1863.

I AM directed to state, for the information of the Directors, that a despatch has been received, containing a final expression of the disapproval of Her Majesty's Government of that portion of the agreement entered into on the 26th September 1861, by which the Agency of the Circle of Issue of Calcutta, under Act 19 of 1861, was entrusted to the Bank of Bengal, it being in their opinion "wise to entrust to Government Agency, and to Government Agency alone, the issue of paper as well as of metallic money, combining, as far as possible, both measures in the same department of Government, and to leave to Banks only the exercise of legitimate Banking functions."

Subject to this condition, Her Majesty's Government approve of the Treasury business being placed in the hands of the Bank of Bengal and its Branches, and the Government of India is prepared to co-operate with the Bank to establish Branches in different parts of the Lieutenant Governments and Chief Commissionerships composing the Bengal Presidency, to which the Government Treasury business of the place may be transferred.

The advantageous position in which the Bank will thus be placed, with the power of using the Government Balances, as Bankers, at the principal places in the interior, unrestricted by the obligations connected with the Agency, and relieved from the expense and risk attending it, will, it is believed, compensate the Bank for any loss it may sustain in consequence of the withdrawal of the $\frac{3}{4}$ per cent. on the notes issued through its medium during the three years which remain of the term of the agreement.

As, however, these advantages are in some measure prospective, the President in Council is willing, subject to the approval of His Excellency the Governor General, upon the Bank consenting to cancel that portion of the agreement which relates to the Agency of the Government Currency, to pay to the Bank an annual sum, from the 1st of January next until the expiration of the agreement, equal to what it would have received under the agreement for the $\frac{3}{4}$ per cent. commission upon an issue of $2\frac{1}{2}$ crores of rupees.

It is the desire of the Government to make its relations with the Bank of Bengal as permanent and satisfactory as possible, and upon being informed that the Directors consent to the proposed modification of the agreement, the President in Council will cause every subsidiary arrangement to be made in that spirit.

The Government will also be prepared to entrust the management of the Public Debt to the Bank of Bengal as soon as satisfactory arrangements can be made for that purpose, and the preparation of the Interest Drafts may be at once transferred on suitable conditions.

APPENDIX No. 2.

From *C. N. Cooke*, Esq., Officiating Secretary and Treasurer, Bank of Bengal, to Secretary to Government of India, Financial Department; dated 1st September 1863.

I HAVE the honour to acknowledge your letter of 7th August, intimating that the Government of India had received a Despatch conveying the final disapproval of Her Majesty's Secretary of State for India of that portion of the Agreement entered into between the Government of India and the Bank of Bengal, on the 26th September 1861, which

which entrusts to the Bank of Bengal the management of the Agency of the Circle of Issue of Calcutta under Act XIX. of 1861, and proposing to the Directors to cancel this part of the Agreement on certain terms indicated.

In reply I am to state, that it is with the greatest regret the Directors have had to take into consideration the reversal of a policy adopted after the most mature consideration by the Government of India, acquiesced in for upwards of two years by the Home Government, which has so far worked well, and which the Directors believe to have made itself generally acceptable to the public.

Until the completion of the main lines of Railway, the success of any such measure must be partial, and its progress slow: but the Directors believe that the existing arrangement offers the best available means of obtaining that grand desideratum of this country—a uniform convertible Paper Currency; and they feel satisfied that as the Government Notes gradually establish for themselves that general acceptance which is only a question of time, and as improved means of communication afford facilities for the transmission of specie, it will be in the power of the Bank, through its branches in different parts of the country, to afford the same degree of convertibility as is given by the branches of the Bank of England to the issues of the parent establishment, and which, though legally insufficient, is practically complete.

The Directors, however, feel that Government having adopted a different view of the matter, it becomes them to endeavour to maintain that accord with Government in which they are satisfied the best interests of the Bank are involved, and with this view to go as far as their duties as custodians of the interests of the shareholders will permit. They have to bear in mind that many of the present shareholders have purchased in at very heavy premia, on the faith of the maintenance of existing arrangements; and the Directors feel that they would not be justified to their proprietors in modifying the existing agreement, unless satisfied that the Bank obtains a full equivalent for the advantages of the position it is proposed to it to relinquish. Confident that they will have the concurrence of Government in this view of their duties, they feel sure they will be excused for stating their conclusion, that the proposals in your letter now under acknowledgment are insufficient, and such as they would not be warranted in accepting.

The Directors, however, do not think that much difficulty need arise in finding an equivalent, which, while it advantages the Bank, will do so without proving onerous to Government, and this they suggest may be found in a modification of Clause No. 4 of the Agreement between Government and the Bank. Under this clause the Bank is authorized to invest in Government Securities such portion of the Government Reserve as the Directors may, in their discretion, deem prudent; and the Directors now propose to relinquish this power as to any sum in excess of one crore of rupees, on condition that Government sanctions their investing up to that amount, and undertakes not to adopt any steps that would compel a realization of these Securities, except in the case of actual requirement by Government, and then only upon reasonable notice given to the Bank. If Government will adopt this suggestion, and will confirm the existing Banking arrangements for a further period of five years from March 1867, the Directors will join with the Government in cancelling that part of the Agreement which relates to the management of the Currency, receiving from Government payment of $\frac{3}{4}$ths per cent. on a sum of $2\frac{1}{2}$ crores of rupees, from 1st January 1864 to expiration of the Agreement.

In reply to the last paragraph of your letter, I am instructed to say that the Directors of the Bank will be prepared to assume the management of the Public Debt of India and the payment of interest thereon, on receiving the cost of the Government Establishments at present engaged on this duty, or of such sum as will repay the Bank the actual expenditure to be incurred, and afford reasonable remuneration for the risks and responsibilities to be undertaken.

In conclusion I am to state that, while submitting these proposals to Government, the Directors wish to intimate their entire readiness to consider any alternative propositions Government may be disposed to make, with the sole reservation that they afford adequate equivalent for what they are asked to give up. The Directors have not overlooked the advantage of being relieved from their responsibilities in connection with the Paper Currency; but, as a question of expense, they feel that the transfer to Government will not afford the Bank any relief, as in the interest of the public it will be necessary for them to continue to afford the same facilities for the cashing and issue of Notes, and to maintain in its integrity the present expensive establishment entertained for this purpose.

The Directors have felt the greater confidence in thus submitting their views, from having received an assurance, for which they desire to express their acknowledgments to the President in Council, that whatever may be the result of this correspondence, it will not affect the friendly feelings entertained by the Government towards the Bank.

Financial Department.—No. 139 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Secretary of State for India.

Sir,

Fort William, 16 November 1863.

We have the honour to forward a copy of the correspondence noted in the margin, relative to the progress of investments on account of the Currency Department.

Statement of the amount of Government Currency Notes in circulation, of the amount of Coin and Bullion Reserve, and Government Securities held by the Department of Issue of Paper Currency, on the 31st October 1863.
Financial Resolution, No. 5513, dated 11th November 1863.
Letters to the Deputy Auditors and Accountants General, Bombay and Madras, and to the Head Commissioner, Department of Issue of Paper Currency, No. 5512, dated 11th November 1863.

2. The total amount now invested is two crores of rupees.

We have, &c.,
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosures to No. 139 of 1863.

STATEMENT of the Amount of Government Currency Notes in circulation, of the Amount of Coin and Bullion Reserve and Government Securities held by the Department of Issue of Paper Currency, on the 31st October 1863.

	Calcutta.	Bombay.	Madras.	Total.
	Rs.	*Rs.*	*Rs.*	*Rs.*
Notes in Circulation -	2,95,00,000. 0.0	1,95,00,000	73,00,000	5,63,00,000. 0.0
Silver Coin Reserve -	1,84,55,921.12.4	1,43,00,000	73,00,000	4,00,55,921.12.4
Silver Bullion Reserve -	- - - -	52,00,000	- - -	52,00,000. 0·0
Government Securities	*1,10,44,078. 3.8	- - -	- - -	1,10,44,078. 3.8

Calcutta Mint, 4 November 1863.

H. Hyde,
Head Commissioner Department of Issue of Paper Currency.

Financial Department.—No. 5513.

Fort William, 11 November 1863.

RESOLUTION.

THE Honourable the President in Council observes that the investments which have, from time to time, been sanctioned by the Governor General in Council under Section X., Act XIX. of 1861, from the coin deposited in exchange for Government Notes, now amount to two crores of rupees.

The payments for making these investments have hitherto been made entirely from the sum deposited in the Office of the Calcutta Circle of Issue; but although it is desirable that all the investments should be made under the direction of the Head Commissioner of Issue, and that the Government Securities should be held in his name, yet the amounts for investment ought to be withdrawn in due proportion from all the Circles of Issue.

According to the latest return, dated the 4th of this month, the notes in circulation and silver coin reserve at Madras each amount to 73 lacs of rupees, of which amount 35 lacs may with safety and advantage be invested.

The most convenient mode of effecting the transfer will be by the Head Commissioner of Currency at Madras paying 35 lacs of rupees to the General Account of the Government at the Bank of Madras, and by an equal sum being paid by the Government of India to the credit of the Head Commissioner of Currency at Calcutta.

The

* Some more Securities received are under adjustment.

The notes in circulation at Bombay at the same date amounted to 1,95,00,000 rupees, but the reserve consisted of 1,43,00,000 rupees in silver coin, and 52 lacs in silver bullion. As the Bombay Mint cannot yet keep pace with the demands made upon it for converting bullion into coin, it is advisable to postpone, for the present, the withdrawal of any portion of the coin in reserve.

ORDERED, that a copy of this Resolution be communicated to the Head Commissioner of Issue, Paper Currency, to the Accountant General, Government of India, and to the Deputy Auditors and Accountants General at Madras and Bombay, with a request that the last-named officers will arrange for the remittance to Bombay (where it is required to assist in meeting the Secretary of State's Bills) of the 35 lacs of rupees which are to be transferred to the Government Account at Madras from that of the Department of Issue.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Bombay; No. 5512, dated 11 November 1863.

I AM directed to transmit, for your information and guidance, a copy of a Resolution in this Department of this date, and to desire that you will arrange with the Officiating Deputy Auditor and Accountant General at Madras for the remittance to Bombay of the 35 lacs of rupees therein adverted to, either by the transmission of the specie to Bombay, or by the sale of Bills on Madras, as may appear to you to be most advisable.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Madras; No. 5512, dated 11 November 1863.

I AM directed to transmit, for your information and guidance, a copy of a Resolution in this Department of this date, and to state that the Deputy Auditor and Accountant General at Bombay has been instructed to arrange with you for the remittance to Bombay of the 35 lacs of rupees therein adverted to, either by the transmission of the specie to Bombay, or by the sale of Bills on Madras, as may appear to him to be most advisable.

2. It is desired that no portion of the remittance may be m de by the purchase of Mercantile Bills.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to Captain *H. Hyde*, Head Commissioner, Department of Issue of Paper Currency; No. 5512, dated 11 November 1863.

I AM directed to transmit, for your information and guidance, a copy of a Resolution in this Department of this date, and to desire that you will instruct the Deputy Commissioner of Currency at Madras to transfer 35 lacs of rupees from the silver coin reserve at that place to the Government Account at the Bank of Madras.

2. The corresponding sum which will be paid to you at Calcutta will be credited by you to the Deputy Commissioner of Currency at Madras, as part of the aggregate investment of two crores.

Financial Department.—No. 33 of 1863.

To Her Majesty's Principal Secretary of State for India in Council, London.

Right Honourable Sir, Bombay Castle, 28 November 1863.

WE have the honour to forward herewith copies of the papers noted in the margin, relative to the present state of the Money Market at Bombay, and the measures which have been taken by us to afford relief to the public.

Letter from the Manager of the Commercial Bank of India, dated 16th November, 1863.
Letter from the Agent Oriental Bank Corporation, dated 16th November 1863.
Report by the Deputy Auditor and Accountant General, No. 1656, dated 16th November 1863.
Letter to the Deputy Auditor and Accountant General, No. 1181, dated 18th November 1863.
Letter to the Manager of the Commercial Bank of India and the Agent Oriental Bank Corporation, No. 1182, dated 18th November 1863.
Letter to the Government of India, No. 1190, dated 20th November 1863.

We have, &c.
H. B. E. Frere.
W. E. Frere.
J. D. Inverarity.

Enclosures to No. 33 of 1863.

To *A. D. Robertson*, Esq., Financial Secretary to Government.

Sir,

I BEG to bring to your notice the extremely critical state of financial matters in Bombay at the present moment, and to express my conviction that, unless Government interferes in some manner so as to grant relief, something approaching to a general bankruptcy must take place within the next few days.

2. The Mint is working in a more dilatory manner than it ever was known to do before when such an amount of bullion had been tendered to it for coinage, and it is reported that the orders at the Mint are that the Assay Department shall not work in excess of the Coinage Department. At present I believe the out-turn is only about two lacs a-day. Last year, when the pressure was not half so severe as now, the Mint worked night and day, and the out-turn was double what it is at present.

3. I would respectfully suggest, as the most obvious mode to me of granting the relief that has become indispensable to the mercantile community, that the Mintmaster should be authorised to issue Certificates for an amount approximating to the value of the silver bullion tendered to the Mint for coinage. By this mode relief would be granted at once, and I have already stated my conviction that the greatest danger is to be apprehended during the next two or three days; but any other method which to the wisdom of Government may be more expedient would be a boon to the public.

I have, &c.

John Cardno,

Bombay, 16 November 1863. Manager Commercial Bank of India.

(No. 13-10717.)

To the Honourable *A. D. Robertson*, Esq., Financial Secretary to Government, Bombay.

Sir,

I have the honour to bring to your notice the present unexampled state of commercial affairs in Bombay. You are doubtless aware of the critical state of the Money Market, and the great difficulty the public have in procuring money on any security whatever. Should no relief be afforded, and any alarm arise in the Bazaar, it is difficult to predict what the consequences might be.

2. In these circumstances I would respectfully suggest that the present time is one when the Government have it in their power to relieve considerably, and probably effectually, the present pressure, by causing to be granted Certificates to the public on approximate amounts of silver now lying at the Mint. I understand that a very large amount of coined rupees are at the Mint; and as the present arrangements there are now incompatible with the wants of the public at this Presidency, the Government would confer a boon on the public by issuing Certificates of payment at once, and might possibly be the means of averting a crisis.

I have, &c.

R. Macneil,

Bombay, 16 November 1863. Agent Oriental Bank Corporation.

Financial Department.—No. 1656 of 1863-64.

To the Financial Secretary to Government, Bombay.

Sir,

I have the honour, with reference to the Officiating Under Secretary Mr. Richey's endorsement No. 1172, dated 16th instant, to report that the issue of Mint Certificates without providing for their payment would, under the existing state of the Government Balance, be most inconvenient; but I would suggest that the coin in the Currency Department, which amounts to about 140 lacs in round numbers, might be made available for this purpose in exchange for bullion tendered to the Mint, which should be assayed as soon as possible, and that such exchange might be carried out to the extent of 60 lacs: 20 lacs have already been transferred; this would make the amount up to 80 lacs. The bullion in the Currency Department would then amount to 117 lacs, and the coin to about 78 lacs. I note that on the 30th April last the Statement of the Currency Department exhibited a circulation of 185 lacs: the bullion was 130, and the coin 55 lacs.

I have, &c.

S. D. Birch,

Deputy Auditor and Accountant General.

Bombay, Deputy Auditor and Accountant General's Office,
16 November 1863.

Financial Department.—No. 1181 of 1863.

To *S. D. Birch*, Esq., Deputy Auditor and Accountant General.

Sir, Bombay Castle, 18 November 1863.

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter No. 1656, dated 16th instant, in reference to letters from the Manager of the Commercial Bank of India and the Agent of the Oriental Bank Corporation relative to the present critical state of the Money Market, and requesting Government to afford relief to the public by authorising the Mintmaster to issue Mint Certificates for amounts approximating to the value of the silver bullion tendered to the Mint for coinage.

2. In reply, I am desired to state that His Excellency in Council considers the issue of Mint Certificates in the manner proposed is out of the question, and concurs in your suggestion to expedite the assay of the silver bullion already tendered to the Mint, and to provide for the payment of the Certificates when ready, by making a portion of the coin in the Currency Department (which at present amounts to 143 lacs of rupees) available for the purpose.

3. With this view, you propose that, in addition to the 20 lacs transferred from the Currency Department to the Mint under the Resolution No. 1140, dated 5th instant, a further sum of 60 lacs of rupees be so transferred. His Excellency in Council is pleased to approve of and authorise the adoption of this suggestion.

4. I am further directed to request you to instruct the Mintmaster to again work day and night, and increase the assays as far as the power of the Establishment will admit.

5. I am also desired to request you to forward daily, until further orders, a Return showing the amount of bullion tendered to the Mint for coinage, and the proportion of this assayed and unassayed, as also the amount deposited in the Currency Department, and the amounts of coined rupees in the Mint, Currency Department and Government Treasury.

I have, &c.
A. D. Robertson,
Officiating Chief Secretary to Government.

Financial Department.—No. 1182 of 1863.

To *J. Cardno*, Esq., Manager Commercial Bank of India.

To the Manager Oriental Bank Corporation, Bombay.

Sir, Bombay Castle, 18 November 1863.

I AM directed by the Honourable the Governor in Council to acknowledge the receipt of your letter of the 16th instant, relative to the present critical state of the Money Market, and requesting Government to afford relief to the public by authorising the Mintmaster to issue Mint Certificates for amounts approximating to the value of the silver bullion tendered to the Mint for coinage.

2. In reply, I am desired to state that the Governor in Council considers the issue of Mint Certificates in the manner proposed by you is out of the question; but I am instructed to inform you that the Mintmaster has been desired to expedite the assay of the silver bullion already tendered to the Mint as far as the power of the establishment will admit, and that instructions have been issued to the Deputy Auditor and Accountant General to provide for the payment of the Certificates when ready.

3. I am further directed to inform you that orders have been issued to again work the Mint day and night.

I have, &c.
A. D. Robertson.
Officiating Chief Secretary to Government.

Financial Department.—No. 1190 of 1863.

From *A. D. Robertson*, Esq., Officiating Chief Secretary to the Government of Bombay, to *E. H. Lushington*, Esq., Secretary to the Government of India.

Sir, Bombay Castle, 20 November 1863.

I AM directed to bring to the notice of the Government of India the critical position in which the Money Market of Bombay is at present placed.

2. The Bank of Bombay raised its rates on the 29th ultimo 11 per cent. on Government Bills, and 13 per cent. on Private Bills, and has during the last three weeks been obliged to refuse all accommodation to the public for want of available funds at its command; and so low had the Bank's balance fallen that on the 14th instant it stood only as follows:—

	Rs.
Cash - - - - - -	4,13,753
Notes - - - - - -	5,77,580
Total - - - *Rs.*	9,91,333

3. The other Banks, it is believed, are also in a similar position; and the Managers of two of them * (copies of whose letters are annexed), have addressed Government on the subject, requesting that the Mintmaster be authorised to issue Mint Certificates for amounts approximating to the value of the silver bullion tendered to the Mint for coinage.

4. This state of matters, which it was believed would have been relieved after the Dewallee (at which time there is always a temporary pressure, owing to the practice of the native merchants of accumulating all their available money in their houses for luck's sake), is, I am to observe, prevailing while there is no want of bullion in the hands of the Banks and European firms; and if this bullion could be converted into coin, the immense pressure on the market would at once be removed.

5. His Excellency the Governor in Council has informed the Agents of the Banks above referred to that the issue of Mint Certificates, as suggested by them, is out of the question, as it would merely transfer the pressure from them to Government; but instructions have, I am to state, been issued, directing the Mintmaster to expedite, as far as the power of the establishment will admit, the assay of the silver bullion already tendered to the Mint; † and, with a view to provide for the payment of the Certificates when ready, the Deputy Auditor and Accountant General has been authorised to transfer 60 lacs of Rupees from the Currency Department to the Mint, in exchange for an equivalent in bullion, in addition to the transfer of the 20 lacs of rupees previously reported to have been made in my letter of the 13th instant, No. 1155.

6. But as there is no indication of any relaxation in the importation of bullion, and as no portion of the machinery of the New Mint will be in operation until the beginning of January next (when the engines, and the rolling mill, adjusting mill, and cutting-out room are all expected to be ready), I am instructed to request that the Government of India will, at their earliest convenience, order, as an additional measure of relief, a remittance of coined rupees to be made to this Presidency to any extent possible.

I have, &c.
A. D. Robertson,
Officiating Chief Secretary to Government.

Financial Department.—No. 146 of 1863

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Secretary of State for India.

Sir, Fort William, 4 December 1863.

IN continuation of our letter dated 16th ultimo, we have the honour to transmit, for your information, copies of the correspondence, as per annexed list, with the Government of Bombay, the Deputy Auditors and Accountants General at

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* The Commercial Bank and the Oriental Bank Corporation.

† The amount of unassayed bullion in the Mint was on the 17th instant about 58 lacs.

at Bombay and Madras, and the Head Commissioner of Currency, on the management of the Currency Department at Bombay, and the supply of the Government Treasury at that place.

We have, &c.
W. Denison.
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosures to No. 146 of 1863

From *A. D. Robertson*, Esq., Officiating Chief Secretary to the Government of Bombay, to *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department; No. 1155, dated Bombay Castle, 13 November 1863.

In forwarding the accompanying copy of a letter from Lieutenant Colonel Ballard, the Mintmaster, to the address of the Deputy Auditor and Accountant General,* I am directed to report, for the information of the Government of India, that the Hon. the Governor in Council has, in consequence of large importations of silver at this Presidency having commenced, authorised the transfer of (20) twenty lacs of coin from the Currency Department to the Mint for bullion, to meet the Assay Certificates as they are issued.

From Lieutenant Colonel *J. A. Ballard*, C.B., Mintmaster, Bombay, to the Deputy Auditor and Accountant General, Bombay; No. 1190, dated 28 October 1863.

I have the honour to suggest that an exchange of 20 lacs of coin for bullion be gradually made between the Currency Department and Mint, as occasion requires.

2. Some exchange will probably require to be made sooner or later; and as the Mint will not be coining for the next few days (the machinery being out of order), it may be more convenient to the Treasury to make it now, as the Bullion Certificates are issued.

From *A. D. Robertson*, Esq., Officiating Chief Secretary to the Government of Bombay, Financial Department, to *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Deparment; No. 1190, dated 20 November 1863. *Vide* page 100.

From *John Cardno*, Esq., Manager, Commercial Bank of India, Bombay, to *A. D. Robertson*, Esq., Financial Secretary to Government of Bombay, dated 16 November 1863. *Vide* page 98.

From *R. Macneil*, Esq., Agent, Oriental Bank Corporation, Bombay, to the Hon. *A. D. Robertson*, Financial Secretary to Government, Bombay; No. 13-10717, dated 16 November, 1863. *Vide* page 98.

Telegram sent by Sir *Charles Trevelyan* to *S. D. Birch*, Esq., on 1 December 1863.

Instead of the 30 lacs to Calcutta, referred to in my letter of November 25th, send 40 lacs of bullion from the Currency Department to Madras, to be coined and remitted to Bombay, or to be drawn upon by you. A corresponding sum will be paid here to the Currency Department, to be invested to the credit of the Bombay Circle. The real cost of sending by guaranteed railway is only the working charges. The reserve of coin in the Currency Department at Bombay is on no account to be further reduced, and the existing bullion should be replaced by coin as soon as possible.

Telegram from Deputy Auditor and Accountant General, Bombay, to Sir *Charles Trevelyan*, 3 December 1863.

Forty lacs of Currency Department Bullion will be sent to Madras, as directed, on 1st instant.

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* No. 190, dated 28 October 1863.

TELEGRAM from the Financial Secretary, Calcutta, to the Chief Secretary, Bombay, dated 3 December 1863.

YOUR letters of the 13th and 20th of November have been received. Thirty-five lacs of rupees have been ordered to be remitted from Madras, and Mr. Birch will send 40 lacs of bullion from the Currency Department to be minted at Madras, and will receive an equal sum in coin. This will add 75 lacs to the Government Balance to meet the Secretary of State's Bills and pay Mint Certificates until the new machinery has been got ready.

The Governor General in Council desires that the reserve of coin in the Currency Department may not be diminished by any further *exchange* of bullion for coin.

TELEGRAM from the Financial Secretary, Calcutta, to the Deputy Auditor and Accountant General, Bombay, dated 3 December 1863.

THE following telegram has been sent to the Chief Secretary:—Mr. Lodwick has been desired to hold 40 lacs of coin at your disposal in addition to the 35.

(*See* above.)

TELEGRAM from the Financial Secretary, Calcutta, to Mr. *Lodwick*, Deputy Auditor and Accountant General, Madras, dated 3 December 1863.

MR. BIRCH will send you 40 lacs of bullion to be minted at Madras, and you are desired to hold an equal sum in coin at his disposal. This is in addition to the 35 lacs withdrawn from the Currency Deposits.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Chief Secretary to the Government of Bombay, No. 5,979, dated 4 December 1863.

I AM directed to acknowledge the receipt of your letters, dated the 13th of November, No. 1155, and the 28th of November, No. 1190, with their respective enclosures.

2. In the first of these letters, you state that the Hon. the Governor in Council had authorised the transfer of 20 lacs of rupees from the reserve of coin in the Currency Department to the Mint, to meet the Assay Certificates as they are got ready; and in the second, you report that His Honour in Council had authorised the further transfer of the sum of 60 lacs of rupees from the Currency Department to the Mint, for the same purpose—being 80 lacs of coined money in all—an equivalent value in bullion being transferred from the Mint to the Currency Department.

3. I am directed to observe that this practice of using the deposits of coin upon which the paper circulation is based as an available fund for supplying the Government Treasury with coin, is entirely inconsistent with the principles upon which the Government Note circulation ought to be conducted. However much an unsatisfactory state of the money market is to be regretted, it would be a far greater and more general calamity if the credit of the Government Note circulation were to be shaken; and a time of unusual demand for specie is one when it is especially necessary that there should be an ample reserve of coin; *bullion* is, of course, not available for the payment of the notes that may be presented.

4. I am, therefore, commanded by the Governor General in Council to desire that the reserve of coin in the Currency Department may not be diminished by any further exchange of bullion for coin, and that the bullion now in the Currency Department may be replaced by coin as soon as possible.

5. In your letter of the 20th of November, you state that as there is no indication of any relaxation in the importation of bullion, and as no portion of the machinery of the new Mint will be in operation until the beginning of January next, it is requested that the Government of India will, at their earliest convenience, order a remittance of coined rupees to be made to the Bombay Presidency to any extent possible.

6. In reply, I am commanded to state that 75 lacs of rupees of coined money has been already placed at the disposal of the Deputy Auditor and Accountant General at Bombay, for the purpose of strengthening the Government Balance at that place to meet the Secretary of State's Bills and the Mint Certificates.

FROM *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Bombay, No. 5980, dated 4 December, 1863.

I AM directed to transmit, for your information and guidance, a copy of a letter which has been this day addressed to the Chief Secretary to the Government of Bombay.

2. In reference to a telegram which you have already received on the subject, I am to desire that you will transmit to Madras, to be minted there, 40 lacs of rupees worth of the bullion now deposited in the Currency Department; and the Deputy Auditor and Accountant General at Madras has been instructed to hold an equivalent amount in coined rupees at your disposal.

3. This sum, when received, you will add to the Government Balance, and an equal amount will be invested here to the credit of the Bombay Currency Circle.

4. In making remittances, you will remember that, owing to the peculiar arrangement under which the difference between the net profits on the guaranteed railways and interest at five per cent. on their capital has to be made good by the Government, the real cost of sending Government property by guaranteed railway is only the actual working charges.

FROM *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Madras, No. 5981, dated 4 December 1863.

WITH reference to my telegram on the same subject, I am directed to inform you that the Deputy Auditor and Accountant General at Bombay has been instructed to transmit to you bullion to the amount of 40 lacs of rupees to be minted at Madras, and you are desired to hold an equal sum in coined money at his disposal, to be remitted to him as soon as he may desire.

2. In making remittances you will remember that, owing to the peculiar arrangement under which the difference between the net profits on the guaranteed railways and interest at five per cent. on their capital has to be made good by the Government, the real cost of sending Government property by guaranteed railway is only the actual working charges.

FROM *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to Captain *H. Hyde*, R. E., Head Commissioner, Department of Issue of Paper Currency, No. 5982, dated 4 December 1863.

I AM directed to transmit for your information and guidance copies of the undermentioned letters which have been addressed to the Chief Secretary to the Government of Bombay, and to the Deputy Auditors and Accountants General at Bombay and Madras.

Letter from the Secretary to the Government of India, Financial Department, to the Chief Secretary to the Government of Bombay, No. 5979, dated 4 December 1863.

Letter from the Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Bombay, No. 5980, dated 4 December 1863.

Letter from the Secretary to the Government of India, Financial Department, to the Deputy Auditor and Accountant General, Madras, No. 5981, dated 4 December 1863.

Financial Department.—No. 160 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., M. P., Secretary of State for India.

Sir,

WE have had the honour of receiving your Letter, dated the 10th of November, *No. 202, stating that you had considered it expedient to increase for the present the amount for which Bills would be drawn upon India, and enclosing a copy of an advertisement intimating that, until further notice, Bills to the amount of 90,00,000 rupees would be granted in each month, instead of 70,00,000 as a present.

Note.—This Letter related solely to drafts on India.

2. Under ordinary circumstances, the existing amount of the Indian Balances (which at the end of last month were 13,48,86,000 rupees), and the accretion which may be expected according to the experience of former years as the season advances, would certainly have borne this additional demand; but events have occurred which require serious consideration.

3. The general scarcity of specie throughout India has for the present disadvantageously affected the Opium Revenue. The average price realized at the sale at the commencement of this month fell to 1,235 rupees, and the taking out of passes for the Malwa Opium may be said to be altogether suspended.

4. The operations in the Peshawar frontier involve extensive preparations which in the present state of prices and wages will make a large addition to the military expenditure.

5. But the circumstance which more immediately interferes with the freedom of our financial action is that under the agreements made with the Banks of Bengal and Bombay, the Government Balances deposited with those establishments can no longer be relied upon. The general cash balance to the credit of this Government is spread over the vast extent of India according to the exigencies of the different local treasuries for the payment of the troops and other demands upon them; and in order to meet the extraordinary payments, it has been usual to keep a large reserve at the principal Treasury at Calcutta. After deducting about one crore of rupees, which under the agreement is set apart in coin, our balance at the Bank of Bengal amounts to about two crores; but how little this balance is really at our disposal will be seen from the accompanying Minute recorded by Sir C. Trevelyan on the 16th instant. A copy of a letter which was addressed by us to the Government of Bombay on the 17th instant is also sent. We shall address you again on the subjects discussed in these papers, and our object in sending them to you now is merely to place you in possession of the information which they contained in regard to the state of our balances.

6. On a review of these circumstances, we think you will agree with us that it is advisable that you should limit your drafts upon us for the present as much as may be consistent with the necessary demands upon you.

We have, &c.,
W. Denison.
R. Napier.
H. B. Harrington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Fort William, 18 December 1863.

P.S.—We beg to add two Minutes on the above subject recorded by his Excellency the Governor General and the Honourable W. Grey.

21 December, 1863.

Enclosures to No. 160 of 1863.

MINUTE by Sir *C. E. Trevelyan;* dated 16 December 1863.

IN our Despatch to the Secretary of State of the 7th of September last we observed as follows:—

14. "Under the Agreement, the Bank of Bengal has the use of the Government Balances for ordinary Banking purposes up to 70 lacs of rupees; and, beyond that sum, the Bank is authorised, at its own discretion, to invest in Government Securities, for its own benefit, any further amount from the Government Balances. The amount which has been actually so invested is 79½ lacs of rupees, the value of which has been enhanced by the rise in the price of Government Securities, to about 86½ lacs. The proposal of the Directors is that they should relinquish this power as to any sum in excess of one crore of rupees, on condition that Government sanctions their investing up to that amount, and undertakes not to adopt any steps that would compel a realisation of these Securities, except in the case of actual requirement by Government, and then only upon reasonable notice given to the Bank.

15. "We cannot recommend the adoption of this proposal. The power possessed by the Bank, of investing the Government Balances at its discretion, requires careful watching under any circumstances. Of late the Government has possessed abundant means; but nobody can say how soon our resources may be again strained, and it would be obviously inexpedient to lock up so large a portion of the public balances in public securities,

securities, with the risk either of the cash not being forthcoming when it was wanted, or of its not being forthcoming without such a pressure on the money market, by a forced sale of Securities, as would occasion or aggravate a serious crisis. If the public balances are larger than are wanted by a million sterling, that amount ought to be invested for the public benefit."

Scarcely two months had passed after this had been written when signs began to appear of the commencement of the anticipated crisis, and now we are in the midst of it.

On the 19th of November the Financial Secretary informed the Directors of the Bank of Bengal, by my desire, that it was probable that we should have to draw heavily upon them, and he suggested for their consideration whether it would not be for their advantage to convert into money great part of the 86 lacs which they had invested in Government Securities out of the public balances in their hands. The answer I received was, that, rather than sell any portion of the paper held by them on account of the Government, they had determined to sell some of their own Government Paper in England; but this was only to the amount of about 12 lacs, and a limit of price was prescribed which was likely to prevent the sale.

On the 10th of December the Financial Secretary informed the Directors that the expectation previously expressed had been realised, and that it was indispensably necessary for them to prepare to meet our drafts by reconverting the greater portion of the 86 lacs into money. The answer I received will be seen from the following extract from a note from the Financial Secretary, of the same date:—

"I spoke to the Bank Directors to-day on the subject of the sale of the Government Securities purchased out of the Government Funds. I read to them an extract of your note saying that the investment of this money was '*causing serious public embarrassment.*' They expressed their inability to sell in the present state of the market; they were of opinion that there was not money to buy the paper, even at the present rates, and that, *if forced* to sell, the rates they would obtain would be ruinously low. This state of things indubitably establishes the *complete* failure of the present system. The Directors are doing the best they can to gather up their resources, and to limit their transactions as much as they possibly can."

These 86 lacs, or 860,000 *l.*, have, therefore, for any present purpose, been as completely cut off from the Government Balance as if they had never belonged to it. The Directors would not sell while they could still do so at a gain compared with the prices at which they had bought, and now they could not sell without loss to themselves, and a serious aggravation of the disturbed and exhausted state of the money market. In all our calculations of the means at our disposal for meeting the heavy drain upon us from various quarters, we must estimate the Public Balances at whatever they may be, *minus* 860,000 *l.*

But this is far from being all. According to the statement of the affairs of the Bank of Bengal for the week ending the 9th of December, the Reserve of the Bank at the Head Office and Branches, in Notes and Specie, to meet Government liabilities to the amount of 1,96,78,612 rupees (1,967,861 *l.*), and private liabilities to the amount of 1,62,04,049 rupees (1,620,404 *l.*), was only 99,81,333 rupees (998,133 *l*).

The total amount of the Government Balance at the Head Office and its Branches was 2,96,78,612 rupees (2,967,861 *l.*); but of this, one crore, or 1,000,000*l.*, was held in reserve in coin on account of the Government, and I have, therefore, only stated the difference as the liability to the Government.

The Bank's Reserve at the Head Office at Calcutta amounted only to 56,64,853 rupees.

It will be seen from this what very large investments have been made by the Bank from the Government Balances, partly in Government Securities and partly in its general Banking business. Nearly the whole of that portion of the Government Balances over which the Bank possessed a control, *i.e.*, 1,96,78,612 rupees, after deducting the crore set apart as the Government Reserve, has been invested—86,42,200 rupees in Government Securities, and 1,10,36,168 in the Bank's general Banking business.

The regularity of our financial operations has been already deranged by this state of things. Instead of having at our command the usual ample balance in the principal treasury of the Supreme Government, which has always heretofore been relied upon as the great reserve in time of need, we have been obliged, even from the commencement of the crisis, to manage and spare that balance. It had been arranged that 40 lacs of rupees of bullion from the Bombay Currency Department was to be coined at Madras, and sent back to reinforce the Government Balance at Bombay, an equal amount being invested at Calcutta as part of the two crores of Government Securities held by the Currency Department; but, under present circumstances, although the Government Balance at the Bank of Bengal amounts to about three crores, public inconvenience might arise from ordering the payment of these forty lacs. And what has come is nothing to what may be expected, for we have upon us at once the exhausting military operations on the Peshawar Frontier; the announcement that the Secretary of State has arranged to draw 1,200,000 *l.* upon us before the end of this financial year, in addition to his previous heavy drafts; and the unprecedented scarcity of Specie, which hits us in a variety of ways, but most sensibly in knocking down the price of the Calcutta Opium sales, and altogether preventing the taking out of passes for the Bombay Opium.

On the 11th instant the remonstrance at page 5 of the Appendix* was made to the Bank by order of the Government; and on the 12th the second letter was written, stating that it was necessary that the bulk of the Government Balances at Allahabad, Nagpore, Lucknow, and Agra, should be held in a form available to meet the exigencies of the Public Service, and requesting that the Agents at the Branch Banks at those

* App. II. v. page 107.

places might be instructed to reserve in coin such portion of the balances in their respective charge as might be in excess of four lacs. It would not be for anybody's advantage if the moderate balances held in these distant Treasuries for the payment of the troops were to be absorbed in discounting Mercantile Bills.

The opportunity was also taken of again calling attention to the very large investments which had been made by the Bank, partly in Government Securities and partly in its general banking business, from balances belonging to the Government, and of suggesting to the Directors the absolute necessity of increasing their Reserve.

As the Bank is unable to sell the 86 lacs of Government Paper in which that portion of our balance has been invested, I recommend that we should take it off their hands. In transferring it to the Government, it matters not at what nominal price it is rated. We should not think of selling it; and as we should cancel it, and extinguish the interest, our object would be attained, whatever the price might be. The Bank cannot deny that the sum of money with which this Government Paper was purchased was the property of the public, and that we have a right to demand payment of it. The money ought to be placed at our disposal, but as this cannot be done without loss, we may be content to take the Securities. We shall at least save the interest; and such is the impending pressure, that it is only by collecting all our resources and making every possible saving that we can hope to bear it. As the transaction would be merely between the Government and the Bank, the money market would not be affected by it.

Calcutta, December 16 1863. *C. E. Trevelyan.*

Appendix I.

BANK OF BENGAL.

Statement of the Affairs of the Bank of Bengal for the Week ending 9th December 1863.

Liabilities:				*Rs.*	*a.*	*p.*
Proprietors' Capital paid up				1,09,90,909	0	0
Reserve Fund				19,69,257	2	4
General Treasury Balance at Head Office	*Rs.*	2,40,49,400	10 8			
Ditto ditto at Branches	„	56,29,211	15 4			
				2,96,78,612	10	0
Other Deposits at Head Office and Branches				1,45,99,574	8	3
Bank Post Bills, &c.				1,18,747	6	8
Bank Notes outstanding				9,46,469	0	0
Sundries				5,39,259	3	3
Total			*Rs.*	5,88,42,828	14	6

Assets:				*Rs.*	*a.*	*p.*
Government Securities, Investment No. 1				12,92,805	9	2
Loans on Government Securities at Head Office and Branches				1,57,57,790	0	0
Accounts of Credit on ditto ditto				11,71,418	9	5
Mercantile Bills discounted at ditto				1,09,02,893	0	6
Dead Stock				2,94,694	7	11
Stamps				9,873	11	0
Banker's Balances				3,23,631	12	2
Sundries				4,65,943	6	11
Total			*Rs.*	3,02,19,050	9	1
Treasury Reserve in Coin at Head Office	*Rs.*	84,07,200	0 2			
Ditto ditto at Branches	„	15,93,044	10 7			
	Rs.	1,00,00,244	10 9			
Ditto invested in Government Securities and claims against Government	„	86,42,200	10 6			
				1,86,42,445	5	3
Bank's Reserve in Notes at Head Office	*Rs.*	40,70,340	0 0			
Ditto in Silver ditto	„	15,94,513	4 7			
	Rs.	56,64,853	4 7			
Bank's Reserve in Notes at Branches	„	9,10,740	0 0			
Ditto in Silver ditto	„	34,05,739	11 7			
	Rs.	43,16,479	11 7			
				99,81,333	0	2
Total			*Rs.*	5,88,42,828	14	6

By order of the Directors,

D. Woods,
Chief Accountant and Deputy Secretary.

C. N. Cooke,
Officiating Secretary and Treasurer.

Appendix II.

My dear Sir, Treasury, 11 December 1863.

The state of the Bank of Bengal formed one of the subjects of discussion in Council this morning.

It was the general opinion of the members that far too large a proportion of the Government balances was locked up in Securities, which could be only realized at the present time with great loss to the Bank and very serious disturbance of the money market. The state of the Bank's balance made it apparent that the Bank is not now in a position to meet any heavy demands from the Government, which, owing to the great daily expenditure on the Frontier, and other causes, might have to be made at any time.

There was no wish expressed on the part of any member of the Government to press the Bank unnecessarily; on the contrary, it was urged that means should be taken to increase the balance in the Government Treasury by gathering up our resources from the Mofussil Treasuries; but at the same time a very strong and unanimous opinion was entertained that the Bank should do its utmost to curtail its banking business, and to gather up its resources so as to be better able to meet any large calls the Government might have to make upon it.

I shall be obliged by your submitting this note to my colleagues, who will, I am certain, have great pleasure in conforming as much as possible to the wishes of Government.

Believe me, &c.
E. H. Lushington.

P.S.—I may add that I did explain, on behalf of the Directors, that the Bank was curtailing its business considerably; but it seemed to the Council that as much was not done in this respect as the emergency required.

Appendix III.

(No. 6179.)

To the Officiating Secretary and Treasurer, Bank of Bengal.

Financial Department.

Sir,

I am directed to request that you will inform the Directors of the Bank of Bengal that it is necessary that the bulk of the Government balances at Allahabad, Nagpore, Lucknow, and Agra should be held in a form available to meet the exigencies of the public service, and that you will, therefore, move them to instruct their Agents at the Branch Banks at each place to reserve in coin such portion of the Government balances in their respective charge as may exceed four lacs of rupees.

I am also directed to call attention to the very large investments which have been made by the Bank, partly in Government Securities and partly in its general banking business, from balances belonging to the Government, and to suggest to the Directors the absolute necessity of increasing their reserve.

I have, &c.
E. H. Lushington,
Secretary to the Government of India.

Council Chamber, 12 December 1863.

Copy to the Deputy Auditors and Accountant's General in the North-Western and Central Provinces.

Financial Department.—No. 6280.

From *E. H. Lushington,* Esquire, Secretary to the Government of India, Financial Department; to *A. D. Robertson,* Esquire, Officiating Chief Secretary to the Government of Bombay.

Fort William Council Chamber,
Sir, 17 December 1863.

In your letter to me, dated the 20th of November, you stated that, so low had the balance of the Bank of Bombay fallen, that on the 14th of that month it stood only as follows:—

Cash - - - - - - - -	*Rs.* 4,13,753
Notes - - - - - - - -	5,77,580
Total - - -	*Rs.* 9,91,333

2 According to the statement of the affairs of the Bank published in the "Gazette," the liabilities of the Bank, payable on demand were, on the same date, Rs. 1,56,71,745.

3. The Governor General in Council requests to be informed what explanation the Government Directors give of the affairs of a Bank in the proper management of which the Government is so much concerned, having been allowed to fall into this state.

4. The Bank is at liberty, under its agreement with the Government, to employ the Government Balance in the ordinary business of the Bank to the extent of 40 lacs of rupees, the rest of the Government Balance being reserved in coin. As the 40 lacs of rupees in question were included in the liabilities of the Bank on the 14th of November, whilst the Bank's Reserve in Cash and Notes amounted only to less than ten lacs, it is obvious that the Bank could not have paid any orders that might have been made upon this portion of the Government Balance to a greater extent than one-fourth of the whole amount.

5. Great efforts are being made to strengthen the Government Balance at Bombay with supplies of coin; but if the affairs of the Bank, which is entrusted with the Government Balances, are conducted in this manner, the amount at which that Balance can be maintained must be considered to be always minus 40 lacs of rupees, or 400,000 *l.*; and, in order to secure the same available sum, the Balance must be permanently increased to a corresponding amount.

6. The Governor General in Council requests to be informed what remedy the Governor in Council proposes to apply to this state of things.

I have, &c.
E. H. Lushington,
Secretary to the Government of India.

Minute by His Excellency the Governor-General; dated 18 December 1863.

The state of things represented in this Minute is conclusive as to the impolicy of the present agreement with the Bank of Bengal.

It would seem that in addition to the 70 lacs which the Bank is using for ordinary Banking purposes, and on which it is realising a large profit, it is receiving interest on 860,000 *l.* or 34,000 *l.* and upwards per annum, which it has locked up in Government Securities, which are not available now that a pressure has occurred in the money market, and the Government is in want of the money for the purpose, I assume, of repaying the amount drawn from the Currency Department at Bombay.

With regard to the proposition that the Government should take off the hands of the Bank the 86 lacs of Government paper instead of drawing upon the Bank for the money which this paper represents, I hardly know what to say. The Bank may refuse to accede to this transfer, and profess its willingness to meet our demands, in full confidence that we shall not venture to act so as to damage it materially.

If we do get the paper, with the exception of the saving of interest, we are no better off than at present, for we cannot turn this into money for the purpose of restoring to the Currency Department the money borrowed from it.

Again the Bank may say that it only owes us 79½ lacs, which is in point of fact all that we are entitled to draw for, and some discussion would arise as to whom the difference should belong.

Upon the whole I am rather disposed to allow matters to remain as they are, warning the Bank that we shall have to draw largely soon upon this balance, for the purpose of giving the Directors time to realise by some means or other a sum sufficient to meet our demands.

W. Denison.

18 December 1863.

MINUTE by the Honourable *W. Grey*, dated 21 December 1863.

THOUGH I concur generally with Sir Charles Trevelyan in the view which I understand him to take of the agreement now existing between the Government and the Bank of Bengal, I think that in his Minute of the 16th he has borne a little hardly on the bank. I do not believe that at the time the first note of warning was sounded by the Financial Secretary, it would have been possible for the Bank to dispose of its Government Securities except at a heavy loss. The scarcity of money was then beginning to be felt, and if the Bank had attempted to put any quantity of paper on the market, the certain effect would have been at once to bring down the value of public Securities and to precipitate the crisis through which Calcutta is now struggling. I do not, therefore, consider that the Directors of the Bank are open to the charge of neglecting advice given to them by Government to sell their Government Securities while they could still do so at a gain.

In Sir Charles Trevelyan's Minute the following passage occurs:—"It had been arranged that 40 lacs of rupees of bullion from the Bombay Currency Department was to be coined at Madras and sent back to reinforce the Government balance at Bombay, an equal amount being invested at Calcutta as part of the two crores of Government Securities held by the Currency Department, but under present circumstances, although the Government balance at the Bank of Bengal amounts to about three crores, public inconvenience might arise from ordering the payment of these 40 lacs."

Reading this passage by the light of the verbal explanation given by Sir Charles Trevelyan to the Council on Friday, I understand that while the 40 lacs taken from the Bombay Currency Department is to be made immediately, or as soon as possible, available "to reinforce the Government balance at Bombay"—in other words, for the general purposes of Government—the amount will not be replaced in the Currency Department in Calcutta until funds shall become available, which at present they are not. This appears to me to be an arrangement directly opposed to Section X. of the "Paper Currency Act" (XIX. of 1861) and it is a measure which should not, in my opinion, be resorted to, save under the most pressing and urgent necessity. There can be no objection to sending 40 lacs of bullion from the Bombay Currency Department to be coined at Madras, but the amount should remain at the credit of the Currency Department so as to preserve the integrity of that Department inviolate. I do not know how it will be proposed to prepare the Monthly Abstract which the Government is bound to publish under Section XIII. of the Currency Act, if 40 lacs are abstracted from the Currency Department and used to reinforce the Government General Balances, thus leaving 40 lacs of notes for a time unrepresented by either coin or bullion or securities "*appropriated and set apart* for the satisfaction and discharge of the said notes," as prescribed by the law.

Before the Government yields to the conviction that it is necessary to violate the law in this manner, there is at least one alternative which, though by no means free from objection, I would far rather see resorted to, and that is to strengthen the Government Balances, by taking silver from the Currency Department in exchange for the Government Securities, in which the Bank of Bengal has invested so large a portion of the Government Balance. If 40 lacs (or 80 lacs, as Sir Charles Trevelyan mentioned on Friday) are urgently needed to strengthen the Government General Balance at Bombay, *and the money cannot be obtained except by having recourse to the reserve of silver in the Currency Department at Bombay*, then it is clear that the silver removed from the Currency Department at Bombay, if not *immediately* replaced by a corresponding transfer of silver to the Currency Department here, should be represented in some other way; and this may be done by requiring the Bank of Bengal to transfer to Government the Securities (or so much of them as may be necessary) which it now holds on account of Government, the Securities being made over to the Currency Department as part of the security held for the satisfaction and discharge of the notes in circulation.

I press this point the more earnestly because, although an expectation is implied by Sir Charles Trevelyan that it will be possible to transfer 40 lacs of silver from the general balance here by the time the coinage of the 40 lacs of bullion at Madras is completed, I find that in the very first instance which has occurred of a transaction of this kind, viz. the transfer of 35 lacs of rupees from the Madras

Currency Department to the Government General Balance at Bombay, which took effect now some little time ago, the equivalent transfer payment which it was intended to make to the Commissioner of Currency here *has not yet been completed, but that the money is still only in course of repayment.*

I believe it to be quite impossible to say when the Government will be in a position here to make over 40 lakhs, much less 80, from its General Balance to the Currency Department. And it seems to me of extreme importance that the Government should not lay itself open to the charge of using the silver belonging to the Currency Department, be it for ever so short a time, without representing it in the Currency Department by an equivalent amount in Government Securities. This being done, there is at least no violation of the law, so long as the maximum allowed by the Act to be issued against Government Securities is not exceeded.

Sir Charles Trevelyan has himself proposed to take over the Securities in question on the general account of Government, but I submit that under the circumstances it is clearly preferable to take them on account of the Currency Department.

When silver does become available, so as to enable the Government to transfer from the Government Balance here to the Commissioner of Currency a sum of 40 (or 80) lakhs to be credited to Bombay, in satisfaction of the amount taken from the Currency Department there, then the Government Securities can, if it is thought desirable, be transferred to the General Account of Government.

W. Grey.

21 December 1863.

Financial.—No. 133.

India Office,

Sir, London, 31 December 1863.

In a Despatch to the Government of India in the Legislative Department, dated the 24th December 1863, No. 57, I have abstained from interference with the assent which has been given by his Excellency the Governor General to the Bill for the reincorporation and reconstitution of the Bank of Bombay.

2. In Clause XXXII. of the Bill* in question, I observe that power is given to "the said Bank, if authorised so to do by the Governor in Council of Bombay, to draw Bills of Exchange and grant Letters of Credit payable out of India."

* *See* page 74.

3. With reference, however, to paragraph 19 of my Financial Despatch to the Government of India, dated the 10th June last, No. 103 (a copy of which was forwarded to you), stating that Her Majesty's Government could not give up "the condition on which alone any Bank could be entrusted with the Government business; and that is, that it should be debarred from dealing at all in Foreign Exchanges," I desire that the permissive authority referred to in the Act may not be granted to the Bank by your Government.

I have, &c.

C. Wood.

His Excellency the Honourable
the Governor in Council,
Bombay.

Financial.—No. 1.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,

Sir, London, 4 January 1864.

Para. 1. I have received and considered in Council your Financial Letter, dated the 7th September last, No. 112, containing an account of your proceedings with the Bank of Bengal, and enclosing a copy of your letter to the Bank, and of their reply.

2. The Bank refer to the present arrangement as having been adopted after mature consideration, and as having been acquiesced in for upwards of two years by the Home Government.

3. It

3. It cannot, apparently, have been brought to the notice of the Directors of the Bank that, throughout the correspondence, decided objections have been expressed by the Home Government to the position assigned to the Bank, in connection with the Government Paper Currency, under the agreement entered into by you, as well as to your arrangements on the transfer of the Government Treasury business to the Bank.

4. The course pursued by your Government may, however, have possibly misled the Directors of the Bank in this matter.

5. The agreement was entered into by you in September 1861, but it was not until the receipt of your letter of the 10th February 1862, that I became aware of the terms of an arrangement which had been concluded six months before.

6. I answered that letter in my Financial Despatch of the 8th April following, and it is true that in that despatch, adverting to the fact that there might be "great inconvenience, and perhaps loss, caused to individuals, if I were to disallow the agreement" which you had made, I stated that, as it was only to last for five years, I would not "disturb the arrangement entered into with the Bank *so far as it has gone;*" but I stated then that Her Majesty's Government entertained the most grave objections to many parts of the scheme, and I desired that no balances of district treasuries might be transferred to branches of the Bank of Bengal without previous reference to me.

7. I repeated, in my Despatch of the 16th September 1862, that Her Majesty's Government objected strongly to many of the arrangements, and I can hardly understand that the Directors of the Bank should have been altogether in ignorance of my views.

8. The objections expressed by me were of no light or unimportant nature.

9. Beyond my opinion as to the excessive amount of the payment to the Bank, in compensation for the loss of its issue, and for transacting the Treasury business, I objected to the investment of the Treasury balances beyond 700,000*l.* in Government securities, and to the power of the Bank to deal in foreign exchanges, and I stated that the Head Commissioner of Issue should have an office distinct from the Bank, where Notes could be obtained for bullion and coin.

10. Your letter of the 2nd January 1863, No. 1, contained explanations on several points which had previously been obscure; but the arrangement, as then more fully explained by you, still appeared to be so disadvantageous to the public interests, that, in my Financial Despatch dated the 10th June 1863, No. 103, I requested you to endeavour to make an arrangement with the Bank for cancelling the agreement.

11. In that Despatch, I expressly desired that you would, at the earliest practicable period, take measures for carrying out the instructions contained in my Despatch of the 16th September 1862, in regard to the issue of Notes in Calcutta from the office of the Commissioner at the Mint, and for the establishment of offices in Bengal and the Upper Provinces for the issue and exchange of Notes; and that in your proceedings you would keep in mind the principle that the Bank was to have no part in the management of the currency. I adverted to the obstacle which the agreement with the Bank, for the management of the issue and circulation of Notes, might present to carrying my instructions into effect, and stated that I should be ready to view favourably any proposal which you might make with the view of inducing the Bank to terminate the agreement.

12. I then expressed my approval of your confiding to the Bank of Bengal and its branches the management of the Treasury business, and I anticipated that you might be able to extend such advantages to the Bank, in regard to that business, as would fairly compensate for the withdrawal of the ¾ per cent. on the Currency business.

13. In accordance with the views thus conveyed to you, certain proposals were made by you to the Bank, in the expectation of obtaining their consent to cancel the existing, and substitute a better, arrangement. The terms proposed by you were not accepted by the Bank, who made counter-propositions, with reference

to which it is only necessary for me to observe that you very properly declined to accede to them.

14. It is, therefore, essential to consider what the present position of the Bank is, under the agreement made by you, so far as I have sanctioned it.

It has been deprived of the advantage of its own circulation of Notes, which privilege, however, the Government might, at any time, have put an end to, by giving a year's notice.

It has been employed in the circulation of the Government Notes, and receives $\frac{3}{4}$ per cent. on the notes issued to it, which on the present amount of 2,500,000*l.* is equal to 18,750 *l.* per annum.

It has been made the Government Banker.

It receives directly from the Government an annual payment of 43,606 rupees, in full of the costs and expenses attendant on the maintenance by the Bank of the establishment of clerks and servants necessary for carrying on the Government Banking account and business.

It has the uncontrolled use of a sum of 700,000*l.*

It has been allowed to invest 800,000*l.* in Government Securities, which, at 4 per cent., would give 32,000*l.* per annum; and, by the agreement, it is permitted to invest even a larger sum.

It has been relieved from the obligation to keep in cash an amount equal at least to one-fourth of all claims against it, outstanding and payable on demand.

It has been permitted, to a certain extent, to deal in foreign exchanges.

15. I admit that the Bank is entitled, for the remainder of the period of five years, to the benefit of these terms, which may fairly be said to have been included in the arrangement actually made with the Bank, when I announced to you that, however objectionable in principle, I would not disturb it "so far as it had gone."

16. In the same Despatch, however, I distinctly stated that the balances of the Government Treasuries were not to be entrusted to the branches of the Bank, without reference to me; and I further stated that I could not give up the condition on which alone any Bank would be entrusted with Government business, *i.e.*, that it should be debarred from dealing in foreign exchanges. I find, however, that you have transferred the Treasury business and balances to them; and I am consequently compelled, by the course which you have pursued, to acquiesce in arrangements which I entirely disapprove.

17. It is not necessary for me to repeat the objections which Her Majesty's Government entertain to these measures, or the reasons for disapproving them, which have been stated at length in my previous Despatches. I now proceed to point out the course which I desire that you will adopt for the future.

18. I trust that you have acted on the instructions conveyed in my Financial Despatches of the 16th September 1862, and 10th June 1863, and have provided for the issue of Notes from the Mint at Calcutta. I must also desire that you will at once carry out the instructions contained in the same Despatches for establishing Circles of Issue.

19. The whole machinery of Issue must be rendered complete in the hands of the Government without delay; and this is evidently desirable, whether a new arrangement with the Bank be made or not.

20. If no alteration be made in the agreement with the Bank, it is obviously important to give every facility to other persons, whether bankers or not, to take out Notes, as Government will save $\frac{3}{4}$ per cent. on all Notes so taken. The Bank of Bengal is not constituted, either directly or through its branches, agent in respect of the circulation of Notes beyond the Calcutta Circle; and, for all Notes issued beyond the limits of that circle, it cannot claim any percentage.

21. I have also to desire that the Government balances may not be placed at Calcutta, or in the branch banks, to an amount exceeding what it is necessary to keep there for payments, as I cannot consent to the locking up of these balances in Government Securities, beyond what is required by the strictest interpretation of the agreement.

22. Of course, no further concession must be made to the Bank; and, at the end of the five years, *i.e.*, in September 1866, or at any rate in March 1867, the Bank will have received most liberal compensation for the loss of its issues, and the

the Government will have fulfilled all for which it has engaged, and will be at perfect liberty to make any arrangement more beneficial to the public interests.

23. I consider, however, that it would be desirable, as stated in my Financial Despatch of the 10th of June last, to effect at once, if possible, a new arrangement with the Bank.

24. I have seen no reason to change any of the opinions which I have expressed to you on the propriety of entrusting to the agency of the Government alone the management of the paper issues in India, of the advantage of extending Banking facilities throughout that country, or of the assistance in the circulation of Notes which the banks will give in the exercise of their purely Banking functions.

25. Indeed the latter opinion has received remarkable confirmation from the statement of the Bank itself, that, if deprived of the circulation, "in the interest of the public it will be necessary for them to continue to afford the same facilities for the cashing and issue of Notes, and to maintain in its integrity the present expensive establishment entertained for this purpose."

26. This assertion may not be strictly correct; but, at any rate, it completely confirms the view expressed by me in para. 34 of my Financial Despatch of the 16th of September 1862, "that it was through the Banks that paper money would, to a great extent, be brought into circulation, but this would be effected by the Banks not as agents for Government in respect of the currency, but in the exercise of their legitimate Banking functions."

27. It seems to me that the terms which you offered to the Bank, and which went beyond what I had contemplated, were sufficiently liberal; but I fully admit that they are entitled to compensation for anything they may give up, during the remainder of the period of the five years; and I am quite disposed to consider fairly any claim which they may have; but the terms which they asked were most objectionable, on grounds of general principle, and you were quite right to refuse them.

28. In order, however, to facilitate your further communication with the Bank, I will proceed to state the terms which I should be prepared to sanction for a new arrangement, subject, of course, to such alterations and modifications in detail as you may think advisable, and are not inconsistent with the terms of this Despatch:—

I. The circulation and management of issues to be at once and completely removed from the Bank.

II. The sum of 18,750 *l.* per annum (equal to $\frac{3}{4}$ per cent. on 2,500,000 *l.* to be paid to the Bank to March 1867.

III. The Bank to act as bankers to the Government, on an understanding that a minimum balance shall be kept of 70,00,000 rupees, which is to be shown in the Bank accounts as Government Balance, and which may be withdrawn by the Government in case of its being actually required for the payment of demands upon it, without any payment to the Bank in consequence of withdrawal. The Bank to use all the Government balance, so far as the Directors may deem prudent, except such portion of it as may be appropriated expressly for payment of dividends or for any other defined purpose. The Bank to have, nevertheless, the temporary use of such portion of balances also, if not immediately required, subject to the sanction of the Government Directors.

IV. The Bank to act in the same capacity in the large towns, where banks may be established with the sanction of Government.

V. The Bank to give up dealing in foreign exchanges.

VI. The present payment of 43,606 rupees per annum for establishment to be continued.

VII. The Bank to undertake the management of the public debt, including the payment of interest, and to be paid a fixed sum per million for so doing.

VIII. An arrangement on these terms may be entered into with the Bank for a further period of five years, that is, for ten years from the date of the

original agreement; but, before any arrangement is finally concluded, I request that it may be submitted for my approval.

29. Under such an arrangement, the Bank of Bengal would be placed in the same position as the Bank of England in all its banking functions.

30. It is obvious that it is not expedient for the Government to keep cash balances in excess of the amount required for probable expenditure. Any sums beyond that amount, if accruing from surplus revenue, which is the only permanent source of increased cash balances, should be applied for the purposes of Government as it may direct.

31. Her Majesty's Government consider that, by such an arrangement as I have indicated in the foregoing observations, the Bank would be very liberally compensated for the withdrawal of its note circulation, and would be adequately remunerated for the service to be rendered by it as banker to the Government; while the management of the Paper Currency, and the relation of the Bank to the Government in regard to the cash balances, would be freed from those grave objections which render the existing arrangement detrimental to the public interests.

32. I trust that you will be able to effect an arrangement, on such terms as I have thus indicated, with the Bank of Bengal.

33. With regard to the Banks of Madras and Bombay you have not, I believe, gone so far in the concessions which have been made to them as with the Bank of Bengal, and you will probably have less difficulty in making an arrangement with them on terms such as I have indicated in this Despatch, but adapted to the circumstances of those Banks; and I should desire that arrangements with them should be made, if it can be accomplished, irrespective of what may be done as regards the Bank of Bengal.

I have, &c.
Charles Wood.

Financial.—No. 11.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,
Sir, London, 26 January 1864.

Para. 1. I have received and considered in Council your Financial Letter of the 18th December last, No. 160, and I have to inform you that I shall discontinue for the remainder of the current year drawing upon India the additional 200,000 *l.* per month, thus reducing the drafts upon you to 700,000 *l.* per month to the end of April.

2. It is not quite clear, from this letter and the official papers transmitted with it, what the precise course is which you are taking in order to strengthen the Government Balances at Bombay; but enough appears to render it necessary for me to remind you that there should at all times be in the Currency Department, under all circumstances, such an amount of Coin, Bullion, and Government Securities as, taken together, are equal to the Notes in circulation.

3. This is a vital point in the management of a Paper Circulation by Government.

I have, &c.
C. Wood.

Financial.—No. 29.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,
Sir, London, 16 February 1864.

I have considered in Council your Financial Letter, dated the 16th November 1863, No. 139, and, under the circumstances reported therein, I approve of your having invested 35,00,000 rupees of the Currency Balances at Madras in Government Securities, and of your having authorised the remittance of that sum in aid of the General Treasury at Bombay. Those objects were effected by the transfer of 35,00,000 rupees by the Head Commissioner of Currency at Madras to the General Account of the Government of that Presidency for remittance to Bombay, an equal amount being paid by your Government to the Currency Department at Calcutta in lieu of the Securities placed to the credit of the Madras Circle.

I have, &c.
C. Wood.

Financial.—No. 30.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,
Sir, London, 16 February 1864.

Para. 1. I have considered in Council your Financial Letter, dated the 4th December 1863, No. 146, which forwarded correspondence relative to the excessive demands at Bombay for coined rupees, and the inconvenience experienced in consequence.

2. It appears that, in order to meet the demand for coin, the Government of Bombay authorised the transfer of the sums of 20 lacs and 60 lacs respectively, in rupees, from the Currency Department to the Mint, an equivalent value in bullion being made over from the Mint to the Currency Department.

3. In reference to that proceeding you observed, that the using the "deposits of coin upon which the Paper Circulation is based as an available fund for supplying the Government Treasury with coin, is entirely inconsistent with the principles upon which the Government Note Circulation ought to be conducted."

4. There can be no doubt of the soundness of the principle laid down in this paragraph, but it does not appear to me that the course adopted by the Bombay Government, in exchanging the coin in the Currency Department for bullion to the extent of 80 lacs, was in contravention of this principle.

5. You could not mean to lay down that the coin in the Currency Department ought to be equal to the amount of notes in circulation. At Calcutta, before the transfer of 35 lacs of securities to the Madras Currency Department, I understand you to have had about 45 lacs of coin and 200 lacs of securities against 245 lacs of notes issued: at Bombay they had 160 lacs of coin and 35 lacs of bullion against 195 lacs of notes; and after the operation of the Bombay Government to which you object, they had 80 lacs of coin and 115 lacs of bullion against 195 lacs of notes. The statement of the Deputy Auditor and Accountant General at Bombay, in his letter to the Secretary to Government of 16th November, gives 78 lacs of coin and 117 lacs of bullion.

6. Comparing, therefore, the state of things at Calcutta with that at Bombay, there was, after the receipt of the 80 lacs of bullion, a larger amount of coin in the Currency Department at Bombay than there was at Calcutta by about 35 lacs, to meet a less amount of notes issued.

7. It is provided in the Currency Act that notes may be issued on bullion, and the only point to be carefully attended to is, that there should be a sufficient

quantity of coin in the Currency Department to meet any demand for exchanging notes for coin.

8. There seems to have been at the time an influx of coin into the Currency Department to be exchanged for notes, and, as I gather from further documents, 20 lacs of coin must have been taken to that Department to be exchanged for notes, raising the issues to 215 lacs and the coin therein to 100 lacs. No apprehension, therefore, need have been entertained of a serious demand for coin; and, in such an emergency as then existed, the Bombay Government adopted the readiest and, as it seems to me, a perfectly safe mode of meeting the pressure upon them.

9. I cannot, therefore, see that there was any reason for objecting to the course adopted by the Government of Bombay, and, indeed, I think that they might, with perfect safety, have exchanged a larger amount of the coin in the Currency Department for bullion.

10. You appear to have taken the best measures in your power for aiding the operations of the Bombay Government and Mint by assistance both from Madras and Calcutta.

11. In the letter from the Chief Secretary to the Government of Bombay to your Financial Secretary, dated the 20th November 1863, it was stated that the engines, rolling-mill, adjusting-mill, and cutting-out room of the Bombay New Mint would be in operation at the beginning of January 1864. I hope, therefore, that the Mint will from that date have been in a condition to coin much more rapidly.

12. It is most desirable that not only at Bombay, but also at the Mints of Madras and Calcutta, the utmost exertions should be used to meet, as promptly as possible, the general demand for coin in India.

I have, &c.
C. Wood.

EXTRACT.

Financial.—No. 19.

To His Excellency the Honourable the Governor in Council, Bombay.

India Office,
Sir, London, 24 February 1864.

2. I HAVE had before me your Financial Letter, dated the 28th November last, No. 33, transmitting copies of correspondence relative to the state of the Money Market at Bombay, and reporting the measures taken by you to afford relief to the public.

4. I trust that the measures adopted by you, with a view to relieve the pressure in the Bombay Money Market, have been effectual; but it appears to me that it is doubtful whether, by directing at an earlier period that the Mint should again work beyond the usual hours, some portion of the inconvenience that has been experienced might not have been avoided.

I have, &c.
C. Wood.

Financial Department.—No. 10 of 1864.

To the Right Hon. Sir *Charles Wood*, Bart., M. P., Secretary of State for India.

Sir, Fort William, 19 January 1864.

We have the honour to transmit, for your information, a copy of a minute by Sir Charles Trevelyan, dated the 22d ultimo, describing the manner in which the aggregate investment of two crores of rupees in Government Securities on account of the Currency deposits has been apportioned between the respective Circles of Calcutta, Madras, and Bombay, together with minutes which have been recorded on the subject by the other Members of Council.

2. The 35 lacs of rupees withdrawn for investment from the Currency Department at Madras, were repaid to the Head Commissioner of Currency here, and an equal amount in Government securities was credited by him to Madras as part of the aggregate Currency investment of two crores.

3 Of the 80 lacs of Bullion withdrawn from the Currency Department at Bombay, 40 lacs were sent to Madras to be coined, and an equal amount will be transferred to the Head Commissioner of Currency to be credited to Bombay as part of the same aggregate investment, as soon as information shall be received that the operation has been completed.

4. It was intended that the remaining 40 lacs of Bullion withdrawn from Bombay should be sent to Calcutta to be coined, but it was afterwards ascertained that the whole of the Bullion belonging to the Currency Department at Bombay was being coined at the Mint at that place; and authority was, therefore, given for the transfer of 40 lacs of Coin from the Currency Department to the Government account at Bombay, and an equal sum was paid from the Government Balance at the Bank of Bengal to the Head Commissioner of Currency to be invested to the credit of the Currency Department at Bombay as part of the aggregate Currency investment of two crores.

We have, &c.
John Lawrence.
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosures to No. 10 of 1864.

Minute by the Honourable Sir *C. E. Trevelyan*, K.C.B., Member of the Council of the Governor-General, dated 22 December 1863.

It will be well that I should give a connected view of the arrangements relating to the Currency Department which have been partially described in several recent documents.

The notes in circulation have, for some time past, amounted to upwards of five crores of rupees, which were covered by an equal amount of coin and bullion.

Of this amount our investments were extended, at my recommendation, from 75 lacs to two crores of rupees. I was of opinion that more than two crores could not be safely invested, and this opinion has been confirmed by passing events.

As Calcutta is the only considerable market for the purchase of Government Securities, the whole of the two crores have been bought here, and the last 50 lacs are now in course of delivery.

But, as each Currency Circle stands on its own independent basis, it was never intended that the whole two crores should be charged against the Bengal Circle.

There were 75 lacs of Notes in circulation at Madras, and 75 lacs of rupees in deposit. I took 35 lacs of these rupees, and sent them to Bombay (where coined money was much wanted), to reinforce the Government Balance there, and repaid the amount to the Head Commissioner of Currency here, to be credited to Madras as part of the existing Currency Investment of two crores.

At Bombay there were two crores and 15 lacs of rupees of Notes in circulation, and an equal sum in rupees and Bullion in deposit. Of this I withdrew 80 lacs of Bullion, and sent half of it to Madras, and half to Calcutta to be coined, and to be sent back in coin to reinforce the Government Balance at Bombay,—equal sums being transferred, as they become due, from the Government Balance here to the Head Commissioner of Currency, to be credited to Bombay as part of the aggregate Currency Investment of two crores.

The result of these operations will be as follows:—

	Circulation.	Specie Deposits.	Investments.
Madras - - - - - - - -	75,00,000	40,00,000	35,00,000
Bombay - - - - - - - -	2,15,00,000	1,35,00,000	80,00,000
Calcutta - - - - - - - -	2,36,00,000	1,51,00,000	85,00,000
TOTAL - - -	5,26,00,000	3,26,00,000	2,00,00,000

This apportionment of the investment has been made with reference only to ordinary considerations, as that which is best suited to the normal circumstances of the different Currency Circles.

No doubt an incidental advantage has been obtained by putting into circulation 115 lacs of rupees, or 1,150,000 *l.*, at a crisis when coined money is so much wanted to relieve the exhausted money market; but this is only one of the unexpected indirect consequences which almost always follow the establishment of a sound principle.

The Government Note Currency was established merely for the purpose of providing a cheap and convenient Currency: but it has now become apparent that it will also be of much public advantage by absorbing the redundant specie when money is plentiful, and giving it out again when money is scarce. In other words, it will perform for India, from several different centres, the same service which the Bank of England performs for Western Europe. If it does not fully do so, it will be owing to the remarkable confidence with which the Government Notes are regarded. So completely is their identity in value with silver established in people's minds, that, notwithstanding the great scarcity of coin at Bombay, it continues to be sent to the Currency Department to be exchanged for Notes. Between the 30th of November and the 12th of December, the Notes in circulation at Bombay increased by eight lacs, the whole of which were issued in exchange for coin. All that is necessary to secure these advantages is that the specie withdrawn from the deposits for investment should not exceed the lowest amounts to which it is possible that the Note circulation of the several Currency Circles can be contracted.

The 35 lacs of rupees withdrawn from Madras for investment have been repaid to the Head Commissioner of Currency here, and have been added by him to the Reserve of Coin belonging to the Bengal Circle, an equal amount in Securities having been credited by him to Madras as part of the aggregate Currency Investment of two crores.

The 40 lacs of Bullion sent from Bombay to Madras, and the similar amount ordered to be sent to Calcutta, will have to be repaid to the Head Commissioner of Currency here as soon as they have been coined. Till then, the obligation does not accrue, for we might, if circumstances required it, send the rupees back to be deposited in the Currency Department at Bombay. Indeed, till the Bullion has been coined, it should properly be kept to the credit of the Currency Department. All the Bullion in the Currency Department must be coined, because, in its original form, it is not available for cashing the Notes.

I observed in my minute, dated the 16th instant, that although the Government Balance at the Bank of Bengal amounts to about three crores of rupees, so large a portion of this amount has been invested by the Directors, that an order for the payment of the first 40 lacs might, under present circumstances, give rise to public inconvenience.

The case anticipated in the 21st and 22d paragraphs* of the Despatch from the Secretary of State, dated the 8th of April 1862, might now occur, with this difference, that the investments have been made partly in Government Securities, and partly in Mercantile Discounts, instead of their being made only in Government Securities. The Secretary of State appeared to contemplate a loan from the Government account to the Currency Department; but the transaction now in question is merely the re-transfer, at Calcutta, from the large Government Balance here, of a sum which had been previously transferred from the Currency Department to the Government Account at Bombay. But we may hope that the Directors will take warning and will provide available funds to meet the drafts made by the Government upon its own balance.

* 21. Under the terms of your agreement, the whole amount of Government Balances beyond 700,000 *l.* may be invested in Government Securities. I must call your attention to the change which is thus effected in the expectation held out as to the security afforded by the balance for the convertibility of Notes. In my Financial Despatch, dated the 26th March 1860, No. 47, I directed that "beyond the reserves of coin and bullion in the hands of the Currency Commissioners, it should be provided that the cash balances in the Indian Treasuries should be available to meet any unforeseen demand for the payment of Notes;" and the Select Committee on the Currency Bill, in their report of the 16th February 1861, stated in reference thereto, that to insure the convertibility of the Notes, under all circumstances, the general credit of the Government and cash balances would, by words which they had introduced into the Bill, be distinctly responsible.

22. If the whole of the Treasury Balance beyond 700,000 *l.* is, under the arrangement which you have made, invested in Government Securities, there will no longer exist a cash balance available to meet a sudden demand for Notes.

MINUTE by the Hon. *H. B. Harington*, dated 8 January 1864.

SIR CHARLES TREVELYAN, in his Minute, gives a connected view of the arrangements relating to the Currency Department, which he observes have been partially described in several recent documents. The dates of the documents referred to not being given, I do not know to what particular documents allusion is made.

A perusal of Sir Charles Trevelyan's Minute has led me to look into the Currency Act* with a view to satisfy myself as to the state of the law relating to this most important department, and the result has been to raise great doubts in my mind as to whether the law is being strictly carried out, or according to what was intended. I need scarcely say that there is probably no law which calls for a more rigid enforcement than one relating to a Paper Currency, particularly in a country like India.

* 19 of 1861.

I at once admit that the relation in which the Currency Department, as constituted under the Act of 1861, stands to the Government of India, is very different from the relation in which the Department would have stood to that Government, had the scheme for a Paper Currency proposed by the late Mr. Wilson been adopted in its entireness.

Mr. Wilson's scheme contemplated what has been called "a self-acting machinery," which should be quite independent of the Government, and the Bill introduced by him contained most carefully prepared provisions for constituting such machinery or agency.

But, although, in consequence of the great modifications which Mr. Wilson's scheme underwent, it was not deemed necessary to enact in the law, as it eventually passed, provisions of the same character as were at first proposed, or to render the Currency Department absolutely independent of the Government, I have been unable, after a careful study of Act 19 of 1861, to bring myself to think that the Act could have intended that the Currency reserves of Bullion and Coin should be moved about from one Presidency to another, and otherwise dealt with in the manner described in Sir Charles Trevelyan's Minute.

An amount of Coin, Bullion, and Government Securities, equal to the amount of the Notes in circulation, may have continued regularly to appear, and may still appear in the accounts at the credit of the Currency Department generally, or as distributed between the three Circles which now exist in the proportion of the Notes issued by those Circles respectively, and thus the letter of the law may be held to have been complied with; but I believe I am right in saying that there was an interval of several days between the date on which the sum of 35 lacs of rupees was taken from the 70 lacs of Coin held in reserve in the Currency Department at Madras, and sent to Bombay to reinforce the Government Balance there, and the date of the payment of a corresponding sum to the Head Commissioner of Currency at Calcutta, to meet the same amount of Government Securities transferred, or proposed to be transferred to Madras in account; and that during this interval 35 lacs of Notes remained uncovered, or unrepresented by Bullion or Coin or Government Securities either in the Calcutta or in the Madras Circle.

Mr. Grey in his Minute, dated the 21st ultimo, remarks, "I understand that while the 40 lacs taken from the Bombay Currency Department is to be made immediately, or as soon as possible, available to reinforce the Government Balance at Bombay, in other words, for the general purposes of Government, the amount will not be replaced in the Currency Department until funds shall become available, which at present they are not. This appears to me to be an arrangement directly opposed to section 10 of the Currency Act." Mr. Grey goes on to say, "I do not know how it will be proposed to prepare the monthly abstract which the Government is bound to publish under section 13 of the Currency Act, if 40 lacs are abstracted from the Currency Department and used to reinforce the Government general balances, thus leaving 40 lacs of Notes, for a time, unrepresented by either coin or bullion, or securities, appropriated and set apart for the satisfaction and discharge of the said Notes as prescribed by law."

It appears to me that Mr. Grey's remarks apply equally to the other 40 lacs of Bullion stated to have been withdrawn from the Currency Department at Bombay, for the purpose of being coined elsewhere and sent back to Bombay, not to be replaced as coin in the Currency Department, but to supplement the Government Balances at Bombay, and that the amount of Currency Notes unrepresented for a time by Coin or Bullion or Government Securities, set apart as above, was really not 40 but 80 lacs of rupees. Whether the whole or any portion of this large amount continues in this predicament I am unable to say. I may observe, however, that in the first number of the "Gazette of India," which has just been published, the whole of the 80 lacs of Bullion which in Sir Charles Trevelyan's Minute are stated to have been withdrawn from the Bombay reserve, and transmitted, half to Madras and half to Calcutta, to be coined and sent back to reinforce the Government Balance at Bombay, appear, on the 26th ultimo, or subsequently to the date of Sir Charles Trevelyan's Minute, as still at the credit of the Currency Department at Bombay; at least so I understand the notification in the "Gazette."

It seems to me to have been the intention of the law that the Commissioner of each Circle of Issue should at all times retain in his own possession the whole of the Coin and Bullion received by him in exchange for Notes, minus any sum invested out of such Coin or Bullion in Government Securities; and that the Government Securities so bought, together with the balance of the Coin and Bullion remaining after the purchase of the

Securities, should be held by the Commissioner of the Circle from which the Notes were issued.

The exchange of bullion for coin, an instance of which lately occurred at Bombay, or of coin for bullion, may not violate the spirit of the law, and may be justified by considerations of public convenience, but I cannot conceive that it was intended that any portion of the coin or bullion held in reserve by the Commissioner of any Circle of Issue to pay the Notes issued by him, should be removed absolutely from the possession and control of such Commissioner, and transported across seas, or otherwise dealt with in such a manner that loss by shipwreck, or in some other way, might ensue, or the particular Circle kept for a long period without its proper or prescribed amount of reserve immediately available, should there be a run for the payment of the Notes issued by it.

Section 10, Act 19 of 1861, certainly does not say how the amount of Government Securities allowed to be purchased with the bullion and coin received in exchange for Notes, shall be apportioned amongst the different Circles of Issue; but the next section seems clearly to show that the law intended, not that the whole of the Government Securities should stand in the name of the Head Commissioner at Calcutta, or of any single Commissioner, but that there should be an actual distribution of the amount amongst the several Circles, and that each Circle should hold its own portion of Government Securities, or the amount of the Securities purchased with the coin or bullion received by it in exchange for the Notes which it issues. The words of section 11 are,—the Government Securities purchased in Bengal shall stand in the name of the Head Commissioner and Master of the Mint at Calcutta; the Government Securities purchased in the Presidency of Fort Saint George shall stand in the name of the Commissioner and Master of the Mint at Madras; and the Government Securities purchased in the Presidency of Bombay shall stand in the name of the Commissioner and Master of the Mint at Bombay.

The intention of the law, in accordance with what is stated above, seems to come out even more clearly in section 14, which provides for the sale, by the Head Commissioner and the Commissioners of Madras and Bombay, of the Government Securities standing in their names respectively; empowers those officers to sign and endorse the Government Securities so standing in their respective names; and authorizes them, if directed by the Governor General of India in Council, to purchase Government Securities to replace their sales.

Sir Charles Trevelyan states in his Minute that when the transactions described therein have been completed, the amount of Government Securities purchased on account of the Currency Department at the several Presidencies will be distributed as in the margin.* I believe I am correct in saying that, at the date of Sir Charles Trevelyan's Minute, not a single rupee's worth of the Government Securities held on that date, stood in the name of the Commissioner and Master of the Mint at Madras, or of the Commissioner and Master of the Mint at Bombay, and that the whole of the paper was in Calcutta, and held in the name of the Head Commissioner and Mint Master at that place. Whether, as the Head Commissioner at Calcutta is also Master of the Mint, another or an additional trustee has been appointed, as required in section 11 of Act 19 of 1861, I do not know.

Madras	35,00,000
Bombay	80,00,000
Calcutta	85,00,000
	2,00,00,000

From the notification published in the number of the "Gazette of India" already referred to, it appears that on the 26th ultimo no portion of the two crores of rupees of Government Securities held by the Currency Department stood allotted to Bombay, and that the entire reserve of that Presidency, amounting to 2,81,00,000 rupees, consisted of coin or bullion, viz., coin 1,14,00,000 rupees, and silver bullion 1,17,00,000 rupees, though of this latter amount 80 lacs are stated in Sir Charles Trevelyan's Minute to have been withdrawn from Bombay, and to have been sent to Calcutta and Madras, with a view, as already noticed, to its being coined there, and afterwards applied to the general purposes of the Bombay Government.

The notification also shows that on the 29th of last month, there was a reserve in coin in Calcutta of only 52,22,868 rupees, against a Note circulation of 2,18,00,000 rupees, the balance, or 1,65,77,132 rupees, being represented by Government Securities, no considerable portion of which could be sold at the present time without adding greatly to the difficulties under which the public is now labouring in consequence of the state of the money market, or without still further depreciating the value of Government Securities.

I will only add that, although the Currency Department may, in any case of emergency, properly borrow from the Cash Balances of Government, upon the security of which, under the words "the general credit of the Government," which are contained in Section X., Act XIX. of 1861, as well of the Coin, Bullion, and Government Securities reserved or appropriated, and set apart to provide for the satisfaction and discharge of the Government Currency Notes, the whole of those Notes are "to be deemed to have been issued," any use, for however brief a period, of the Coin and Bullion in reserve in the Currency Department, or of the Securities set apart as above, for purposes other than those contemplated in the Act, would, in my opinion, be an infraction of the spirit as well as the letter of the Act.

MINUTE by the Honourable *H. S. Maine*, dated 10 January 1864.

THERE is certainly something in the structure of Act 19 of 1861 which raises a suspicion that the restrictions contemplated by Mr. Harington were in the mind of the draftsman, but I have before had occasion to observe, with reference to other documents connected with the monetary arrangements of 1861, that there was a want of understanding between the author of the policy and the framer of the documents which embodied it. This came out very strongly during the discussion, at the end of 1862, on the Agreement with the Bank of Bengal. Although, therefore, we are bound by the language of the Act, I do not think it safe to rely on inferential conclusions derived from it, unless they are very distinctly indicated.

The literal construction of Section 11 undoubtedly requires that when Securities are purchased in any one Presidency, *e. g.*, in Madras (I am almost inclined to think that "in the Presidency of Fort Saint George" means "in the Madras stock-market,") those Securities must stand as directed in Section 11, and can only be sold and replaced as directed in Section 14.

But the question arises, whether the Currency Department, when making purchases in Calcutta, which is the great market for paper, can purchase Securities, not only up to the proportion permitted by the stock of Coin and Bullion at Calcutta, but up to that permitted by the state of the Coin, Bullion, *and* Securities at Madras and Bombay. If it can, it seems to follow that Coin and Bullion can legally be moved from one Presidency to another, because the Securities are of course held under a constant liability to be converted into money, which must be sent wherever it is wanted.

I am, on the whole, unable to say that such purchases of Government Paper at Calcutta, against Coin or Bullion lying at Bombay or Madras, are illegal under the Act. Section 10 clearly makes the total amount of Silver received for Notes, without reference to the place where it is received, the test of the amount which may be invested. And against the language of Section 10 we have nothing to set, except inferences from the somewhat ambiguous language of Sections 11 and 14.

Another reason for inclining to think that this construction is the proper one, is that the dangers apprehended from the other interpretation will certainly be incurred as soon as new Circles of Issue are established. Where a Circle is established, let us say, in the Punjab, Notes will be current there which will be partially represented by Securities localised at Calcutta, and therefore there must be occasional transmissions of Silver between Calcutta and Lahore. It is difficult to say whether it is more dangerous to send Silver in a steamer round the Peninsula, or by a railway 1,000 miles long. The perils of the sea in one case are matched by the perils of dishonesty in another; I am not aware that as much Bullion was ever lost in a ship at sea as was lost in the gold-dust robbery on the English South Eastern Railway.

If Mr. Grey and Sir R. Napier differ from me, and if Mr. Harington adheres to his opinion (I assume that Sir C. Trevelyan agrees in my view), it will, I think, be as well to submit a case, which had better be a hypothetical one, to the Advocate General. The objections just urged by the Secretary of State against prolonged controversies on paper between the Members of Council seem to me to apply with especial force to controversies on points of law.

MINUTE by the Honourable *W. Grey*, dated 11 January 1864.

I AM not disposed to question the legality of purchasing Government Securities in Calcutta, on account of the Madras or the Bombay Currency Branch, and I certainly see no practical objection to such a course being followed. Indeed, it can hardly be avoided, I believe. What I have thought open to objection is the somewhat loose fashion (as it seemed to me) of dealing with the money of the Currency Department, by making use of it for the general purposes of Government, *before* the amount so appropriated is represented by Government Securities. With respect to the 35 lacs transaction, for example, it was designed to take 35 lacs of Silver from the Madras Currency Branch to strengthen the Government balances at Bombay, and to pay to the Currency Branch in Calcutta 35 lacs of Silver from the Government balances here, receiving from the Calcutta Currency Branch in exchange, 35 lacs of Government Securities on account of the Madras Currency Branch. To this operation I can see no valid objection. But the 35 lacs was paid to the general account of the Government at the Bank of Madras on the 26th of November, and the amount was not repaid to the Currency Department here until the 23d of December.

Therefore, between the 26th of November and the 23d of December, 35 lacs of Notes were in circulation in the Madras Circle unrepresented by either Coin, or Bullion, or securities. "*appropriated and set apart* to provide for the satisfaction and discharge of the said Notes" (*vide* Section X. of the Currency Act). I thought this illegal, and that it might constitute a dangerous precedent; and as the passage in Sir Charles Trevelyan's Minute of December the 16th, which I quoted in mine of the 21st idem, seemed to indicate that a similar mode of dealing might be adopted with regard to the 40 lacs there spoken

of as being taken from the Bombay Currency Department, I considered it right to call attention to the subject.

Sir Charles Trevelyan's subsequent Minute of December 22 contains an explanation on the point, from which I gather that the Bullion taken from the Bombay Currency Department will, when coined, be paid into the Currency Department here, an equivalent in Government Securities being made over by the Calcutta Currency Department to that of Bombay.

To this there can be no objection; but care must be taken that the 40 lacs which has been sent to Madras to be coined is not "sent back in coin to *reinforce the Government Balance at Bombay*," *until* the state of the Government Balance here does actually admit of payment of the 40 lacs to the Currency Branch here being ordered.

MINUTE by the Honourable Sir *R. Napier*, dated 18 January 1864.

I CONCUR with the view taken by Mr. Grey. As soon as the state of the market admits of it, I trust that measures may be taken to correct the Bank of Bengal's over investment.

RETURN of the Amount of GOVERNMENT PAPER issued in *India*, showing the Total Amount of the NOTES, and the SECURITIES to meet the same, at the following Dates (as published in the "Gazette of India"):—

	Calcutta, 29 December 1863.	Madras, 26 December 1863.	Bombay, 26 December 1863.	TOTAL.
	Rs.	*Rs.*	*Rs.*	*Rs.*
Notes in circulation - - - -	2,18,00,000	62,00,000	2,31,00,000	5,11,00,000
Silver Coin reserve - - - -	52,22,868	27,00,000	1,14,00,000	1,93,22,868
Silver Bullion reserve - - -	- -	- -	1,17,00,000	1,17,00,000
Government Securities - - -	1,65,77,132	35,00,000	- -	2,00,77,132

RETURN showing the CAPITAL of the BANKS of *Bengal, Madras,* and *Bombay*, and the Amount of STOCK held by the GOVERNMENT as SHAREHOLDERS in each BANK (from the Charter Acts and Quick Stock Statements).

	Bengal.	Madras.	Bombay.
	Rs.	*Rs.*	*Rs.*
Capital of the Bank - - - - - -	1,07,00,000	30,00,000	52,25,000
Amount of Stock held by Government - - -	11,00,000	3,00,000	3,00,000

COPY of PAPERS and CORRESPONDENCE relating to the Issue of a GOVERNMENT PAPER CURRENCY in *India*, as proposed by Mr. *Wilson*, and carried out by Mr. *Laing*, and the Transfer of the Business of the Government Treasuries to the Banks of *Bengal*, *Madras*, and *Bombay* (in continuation of Parliamentary Paper, No. 215, of Session 1862; and RETURN of the Amount of GOVERNMENT PAPER Issued, showing the Total Amount of the NOTES and the SECURITIES to meet the same; and showing the CAPITAL respectively of the Banks of *Bengal*, *Madras*, and *Bombay*; &c.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*,
7 *March* 1864.

[*Price* 1 *s.* 4 *d.*]

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RETURN to an Address of the Honourable The House of Commons, dated 18 July 1864;—*for*,

"COPY of PAPERS and CORRESPONDENCE relating to the Issue of a GOVERNMENT PAPER CURRENCY in *India* (in continuation of Parliamentary Paper, No. 109, of the present Session)."

India Office, 19 July 1864.

T. L. SECCOMBE,
Secretary, Financial Department.

Financial Department.—No. 39 of 1864.

To the Right Honourable Sir *Charles Wood*, Bart., M.P., Secretary of State for *India*.

Sir, Fort William, 8 March 1864.

WE have the honor to acknowledge receipt of your Financial Despatch, No. 1, of the 4th January last, in the 28th paragraph of which you specify the conditions whereon an arrangement for a further term of five years from termination of the present agreement may be entered into with the Bank of Bengal, subject to final approval by yourself.

2. In the 29th paragraph it is remarked that "under such an arrangement, the Bank of Bengal would be placed in the same position as the Bank of England in all its functions."

3. Before, however, acting on the permission conveyed in this Despatch, we beg to lay before you a statement of the difficulty the Government was placed in during the late period of pressure in the money-market, contained in a Minute by the Honourable Sir Charles Trevelyan, K.C.B.; and we would invite your consideration of the objection therein pointed out to the Bank being allowed "to use all the Government balance so far as the Directors may deem prudent, except such portion of it as may be appropriated expressly for the payment of dividends or for any other defined purpose. The Bank to have, nevertheless, the temporary use of such portion of balances also, if not immediately required, subject to the sanction of the Government Directors."

4. We also take the opportunity of stating, with reference to the observations contained in the third paragraph of your Despatch under acknowledgment, that the Directors of the Bank were fully informed of the decided objection expressed by you to the connection of the Bank with the Government Paper Currency, and that the contents of your Despatch of the 16th September 1862 were also made known to them.

We have, &c.
(signed) *John Lawrence.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

MINUTE by the Honourable Sir *C. E. Trevelyan*, K.C.B., Member of the Council of the Governor General.

IN the Secretary of State's Despatch, dated the 4th of January last, we are authorised, subject to such alterations and modifications in detail as we may consider advisable, and subject also to his final approval, to enter into a new arrangement with the Bank of Bengal, the principal feature of which is that a minimum balance is to be kept with the Bank of 70 lakhs of rupees, which may be withdrawn by the Government in case of its being actually required for the payment of demands upon it, without any payment to the Bank in consequence of withdrawal; that the Bank may use all the Government balance as far as the Directors may deem prudent, except such portion of it as may be appropriated expressly for payment of dividends, or for any other defined object; but that the Bank may have, nevertheless, the temporary use of such portions of the balances also, if not immediately required, subject to the sanction of the Government Directors. Similar arrangements are authorised at places in the interior where Branch Banks may be established with the sanction of the Government.

"Under such an arrangement," the Secretary of State adds, "the Bank of Bengal would be placed in the same position as the Bank of England in all its banking functions."

He also observes: "It is obvious that it is not expedient for the Government to keep cash balances in excess of the amount required for probable expenditure. Any sums beyond that amount, if accruing from surplus revenue, which is the only permanent source of increased cash balances, should be applied for the purposes of Government as it may direct."

Events have recently occurred which place in a striking point of view a fundamental difference between the Bank of Bengal and the Bank of England.

In its relation to the public, the Bank of England keeps the reserves of cash for the whole country. Other bankers make no great point of holding a reserve, except a few notes in their till, and one or two hundred thousand pounds at the Bank of England at no interest. When circumstances occur to occasion a pressure in the money-market, and a difficulty exists in obtaining accommodation in the usual channels, private bankers and the public generally resort to the Bank for aid. As regards the public, therefore, the Bank of England is a Bank of reserve, and a Bank of support.

In its banking capacity the Bank of England performs many valuable services for the Government, without any remuneration but the use of the balances. The Bank receives every shilling of the income of a nation, except what is retained at the Irish Exchequer Account at the Bank of Ireland. The revenue is paid into the Bank at the rate of about a million sterling a week; and, in ordinary times, a considerable portion of it is allowed to accumulate, to provide means, on each quarter-day, for the payment of the dividends on the Government debt. Suddenly, on those days, five or six millions sterling are paid away by the Bank. In other words, the Government balance is nearly cleared out at the end of every quarter, and the Bank has frequently to advance a considerable sum besides, which is repaid out of the next accruing revenue. The Bank also gives assistance to the Government, by occasional loans on the security of Exchequer Bills, &c., as emergencies occur.

Another important service is the remittance of the revenue, which is paid over, by the collectors at the various places of receipt, to clerks attending from the branch banks for the purpose. Credit is then immediately given to the Exchequer Account in London, so that the revenue is made available for the public service with the least possible loss of time.

For all these purposes the Bank has to keep a reserve in coin, or notes immediately exchangeable for coin, of from six to eight millions sterling; and it has a capital of fourteen millions, and a "rest," composed of undivided profits, of upwards of three millions more.

The position of the Bank of Bengal is very different. The Proprietors' paid-up capital is only 1,100,000 *l.* In 1840 it was only 30,000 *l.* less, for it then stood at 1,070,000 *l.* But since 1840 the private business of Calcutta has immensely

mensely increased;* and the Bank has lately established nine branches, from Rangoon to Lucknow, Agra, and Nagpoor; and the Government has transfered its business to the Bank, at the head office and the branches. The Bank of Bengal did not make any addition to its capital in consequence of its opening branches at the principal places of trade in Northern India.

The consequences of this state of things are partly described in my Minutes dated on the 16th and 22d December last. The great bulk of the public balances must always be distributed among the numerous treasuries scattered over this great continent, to provide for the payment of the troops and other current demands,† and the balance in the principal Treasury of the Supreme Government at Calcutta has always been relied upon as our great reserve. A time of pressure in the mercantile and money markets is always likely to be a difficult time for the Government, and in the recent instance we suffered severely from the falling off of the Opium revenue, and other causes. Large funds were required to meet the Secretary of State's Bills at Bombay, and for other purposes, but our reserve had been invested by the Bank of Bengal in Government securities and mercantile discounts. For about 8 or 10 weeks the anxiety was very serious. There was no deficiency on the balance of income and expenditure. There was no deficiency even in the amount of the cash balances. But the available portion of our cash balances had been neutralised. In order to avoid a greater calamity, I had to manage and spare the Bank of Bengal as I best could until the crisis was passed.

The Government was also brought, by the same process, into a very objectionable relation to the mercantile community; for notwithstanding the very large amount which had been lent from the Government balances, through the medium of the Bank of Bengal, to support the trade of Calcutta, yet, as it was necessary for the public safety to point out to the Directors the absolute necessity of increasing their reserve, the pressure upon the money-market seemed to come from the Government, and the great difficulty of the Calcutta money-market was popularly supposed to be the insufficiency of the Government balance, and the demands which the Government made upon it!

As the Branch Banks are all situated at principal stations in the provinces, where the Government balances are required for the payment of the troops and other current demands, it was notified to the Bank that such portion of the Government balances at each Branch Bank as might exceed four lakhs of rupees must be held in a form available to meet the exigencies of the public service, *i. e.* in coin. The Bank, at the same time, drew all their own available funds from the branches to meet the demands upon them at Calcutta, and the operations at the branches were, for the time, almost suspended.

In order therefore to complete the analogy with the Bank of England, the capital stock of the Bank of Bengal must be greatly increased. Its existing capital is totally insufficient to meet the present demands even of the private trade; and although the Bank profits by the use of the Government balances, it can give no help in return. With such an insufficient amount of capital of its own, its undue absorption of the Government balances is inevitable. It is useless to prescribe, as a condition of our connection with the Bank, that the balance "may be withdrawn by the Government in case of its being actually required for the payment of demands upon it," if the other circumstances are such that, in fact, it is impracticable to draw heavily upon our balance.

Although the present arrangement is open to great objections, it is felt as a sort of safeguard that everything above 70 lakhs of rupees must be in coin or Government securities; but, according to the arrangement we are authorised to conclude, "the Bank is to use all the Government balance so far as the Directors may deem prudent, except such portion of it as may be appropriated expressly for payment of dividends or for any other defined purpose. The Bank to have, nevertheless, the temporary use of such portion of balances also, if not immediately required, subject to the sanction of the Government Directors." These conditions, which are borrowed from our practice with the Bank of England, can be

* In 1840–41 the imports of Calcutta were 5,867,767 *l.*, and the exports 8,369,329 *l.*, or 14,237,096 *l.* in all. In 1862–63 the imports were 16,186,467 *l.*, and the exports 18,942,785 *l.*, or 35,129,252 *l.* in all.

† There are 211 separate treasuries, which have to be kept in funds by the Government of India, besides military paymasters and public works officers, most of whom bank with the collectors. At home there are only two treasuries, the Bank of England and the Bank of Ireland.

be safely conceded only when the capital of the Bank of Bengal shall bear something approaching to the same proportion to the trade of Northern India which the capital of the Bank of England does to that of the United Kingdom. When this Government shall be able to draw upon the Bank of Bengal with the same freedom as the Home Government does upon the Bank of England, and when the Bank of Bengal shall be able, besides, to give temporary accommodation to the Government, in order to save the necessity of its entering the money-market as a borrower, there will be some reciprocity in the arrangement.

The advantage which the Bank has derived from so greatly extending its business, not with its own but the Government capital, may be seen from the fact that that the 4,000-rupees shares of the Bank of Bengal, which were at 5,950 rupees previously to the existing arrangement with the Government, were at 11,300 rupees previously to the late exhausted state of the money-market, and are still above 9,000 rupees.

The Secretary of State observes that it is not expedient for the Government to keep the cash balances in excess of the amount required to meet the public expenditure, and that any sums beyond that amount should be applied for the purposes of Government. A sounder principle than this could not be laid down. To work the expenditure with the smallest possible balance is a first principle in finance; but the consequence of placing the Government balances at the disposal of a bank which has no sufficient resources of its own must be, as it has actually been, that those balances will be locked up in the commercial transactions of the Bank. The practical result of the existing arrangement has been, that a large sum of public money has been lent to the Bank, without interest, to be invested for its benefit; in other words, so much has been withdrawn from the public balances, and we have had to maintain those balances at their previous amount, *plus* that sum. In the best of times, this is a onesided, losing arrangement; but as the object of maintaining Government reserves is to provide for the public safety in times of difficulty, which are the very times when money advanced in support of commerce cannot be easily withdrawn, something worse than the loss of the command of so much money under ordinary circumstances is to be apprehended from the arrangement.

As this preliminary objection to the arrangement which the Secretary of State has authorised us to enter into with the Bank of Bengal could not have been known to him at the time when his instructions were prepared, as it has since been illustrated by the teaching of actual experience, I suggest that this view should be laid before him without delay. It remains to be seen whether the Bank of Bengal will qualify itself for properly undertaking the transaction of the Government business, by increasing its capital in due proportion to that of he Bank of England.

Calcutta, 24 February 1864. (signed) *C. E. Trevelyan.*

I concur in the Financial Member's proposal to lay before the Secretary of State for India a report to the effect now proposed.

(signed) *J. L.* 26/2/64.

I concur.

(signed) *R. N.* 2/3.
H. B. H. - 2/3.
H. S. M. 2/3.
W. G. 2/3.

Does not the Secretary of State mean that the Government balance shall be used by the Bank only for banking business proper, and that no portion of it shall be invested in Government securities? If this is the meaning, it strikes me that the objection taken in Sir Charles Trevelyan's Minute is perhaps pushed a little far. Even the phrase "locked up in commercial transactions" seems to me hardly accurate, the essence of a true banking system being that the bulk of a bank's deposits shall not be "locked up," but shall be advanced on short loans of 30 days, 60 days, and at the outside three months; so that the Bank can at very short notice restrict its operations, and call in a portion, larger or smaller according to the pressure upon it, of the funds advanced in connection with commercial

commercial transactions. During the recent crisis I believe the Bank of Bengal did this to a very considerable extent; but it could not, of course, get over the difficulty which arose from 80 lakhs of its deposits (the Government balance) being "locked up" (in the true sense of the words) by their investment in Government securities.

(signed) *W. G.*

It is right to explain that, although the Bank's loans are for short dates, yet in times of presssure the Bank must renew the bulk of its loans—else the consequences to its constituents and, through them, to the public at large would be most disastrous. Hence the public balances were, during the late period of pressure, "locked up in the commercial transactions of the Bank."

3 March 1864. (signed) *C. E. T.*

Financial—No. 117.

To His Excellency the Right Honourable the Governor General of India in Council.

Sir, India Office, London, 16 May 1864.

Para. 1. I HAVE received and considered in Council your Financial Letter, dated the 8th March last, No. 39, and the Minute by Sir Charles Trevelyan forwarded therewith, on the subject of the arrangements with the Bank of Bengal.

2. You request my consideration of the objection, pointed out in that Minute, to the Bank being allowed "to use all the Government balance, as far as the Directors may deem prudent, except such portion of it as may be appropriated expressly for the payment of dividends, or for any other defined purpose. The Bank to have, nevertheless, the temporary use of such portion of balances also, if not immediately required, subject to the sanction of the Government Directors."

3. I do not, however, see the objection to the course thus pointed out to you, if the other conditions contained in my Financial Despatch of the 4th January last, No. 1, are adverted to and maintained.

4. In the paragraph of that Despatch which you have quoted, it was proposed that the Bank should act as bankers to the Government, on an understanding that "a minimum balance shall be kept of *Rs.*70,00,000, "which is to be shown in the Bank accounts as Government balance, and which may be withdrawn by the Government in case of its being actually required for the payment of demands upon it, without any payment to the Bank in consequence of withdrawal;" but it was also observed, in para. 30 of the same Despatch, that "it is obvious that it is not expedient for the Government to keep cash balances in exeess of the amount required for probable expenditure. Any sums beyond that amount, if accruing from surplus revenue, which is the only permanent source of increased cash balances, should be applied for the purposes of Government, as it may direct."

5. Mr. Grey has justly pointed out, in his Memorandum annexed to Sir C. Trevelyan's Minute, that there is a distinction between the Bank employing some portion of the Government balance in short loans for 30 or 60 days or, at the outside, for three months, and of locking up the same amount in Government securities, which, in the midst of a monetary crisis, might be saleable only at a very serious loss, even if they were saleable at all.

6. I concur, however, in the opinion expressed in Sir C. Trevelyan's Minute as to the expediency of an increase being made to the capital of the Bank of Bengal, and I observe with satisfaction that the Directors have taken measures for doubling it. I desire to be informed whether the interest of Government has been increased in the same proportion, and, if not, in what manner it is proposed to dispose of the shares to which the Government are entitled.

I have, &c.
C. Wood.

EAST INDIA (PAPER CURRENCY, &c.)

COPY of PAPERS and CORRESPONDENCE relating to the Issue of a GOVERNMENT PAPER CURRENCY in *India* (in continuation of Parliamentary Paper, No. 109, of the present Session).

(*Mr. Kinnaird.*)

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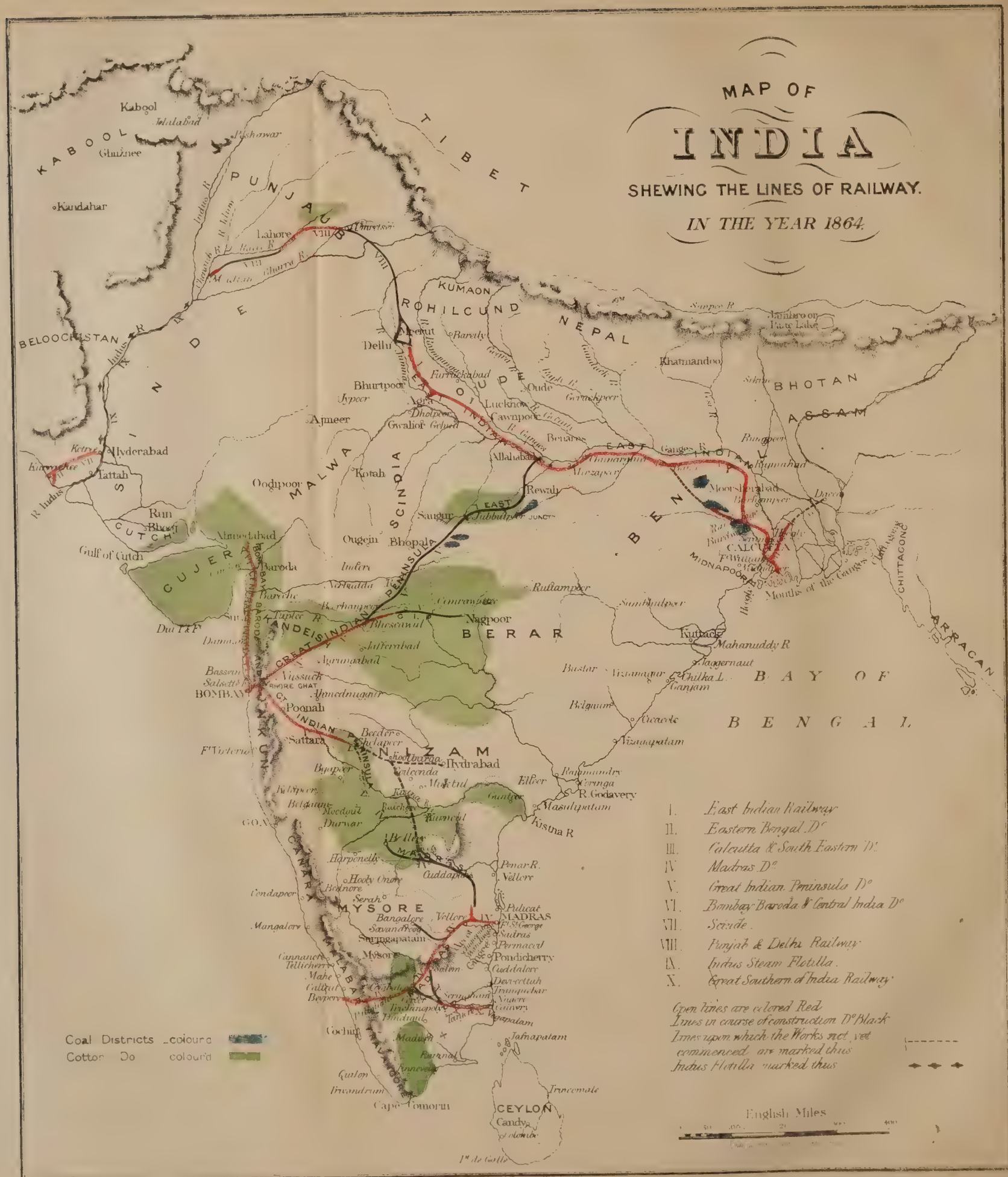
MAP OF
INDIA
SHEWING THE LINES OF RAILWAY.
IN THE YEAR 1864.
I. East Indian Railway
II. Eastern Bengal D°
III. Calcutta & South Eastern D°
IV Madras D°
V. Great Indian Peninsula D°
VI. Bombay Baroda & Central India D°
VII. Scinde.
VIII. Punjab & Delhi Railway
IX. Indus Steam Flotilla.
X. Great Southern of India Railway
Open lines are colored Red
Lines in course of construction D° Black
Lines upon which the Works not yet commenced are marked thus
Indus Flotilla marked thus
Coal Districts colour
Cotton Do coloured
English Miles
BAY OF BENGAL
ARABIAN SEA
TIBET
NEPAL
BHOTAN
ASSAM
BENGAL
BERAR
NIZAM
MYSORE
CEYLON
KABOOL
BELOOCHISTAN
SINDE
PUNJAUB
KUMAON
ROHILCUND
OUDE
MALWA
SCINDIA
CUTCH
CUJERAT
CANARA
MALABAR
TRAVANCORE
CHITTAGONG
ARRACAN
Kaboul
Jellalabad
Peshawur
Ghuznee
Kandahar
Lahore
Umritsur
Delhi
Meerut
Agra
Allahabad
Cawnpore
Lucknow
Bhurtpoor
Ajmeer
Gwalior
Oodypoor
Kotah
Rewah
Saugur
Jubbulpore
Ougein
Bhopal
Indore
Baroda
Ahmedabad
Surat
Bombay
Poonah
Sattara
Kolhapore
Hyderabad
Kaleanda
Moktul
Kurnool
Moodgul
Durwar
Belgaum
Goa
Beder
Byder
Kulburga
Raichore
Gungee
Masulipatam
Elloor
Rajamundry
Ceringa
R. Godavery
Kistna R
Guntoor
Vellore
Cuddapah
Hurryhur
Harponelly
Hoody Onore
Bednore
Serah
Bangalore
Savandroog
Seringapatam
Mysore
Cannanore
Tellicherry
Mahe
Calicut
Beypore
Cochin
Madura
Paumbun
Tanjore
Trichinopoly
Dindigul
Salem
Coimbatore
Pondicherry
Cuddalore
Devicottah
Tranquebar
Negapatam
Pulicat
Madras
Fort St George
Sadras
Permacool
Jaffnapatam
Trincomale
Candy
Colombo
Point de Galle
Cape Comorin
Travancore
Quilon
Trivandrum
Tuticorin
Ramnad
Kurrachee
Hyderabad
Tattah
Runn
Bhooj
Gulf of Cutch
Nerbudda R
Taptee R
Godavery R
Kistna R
Indus R
Chenaub R
Jhelum R
Ravee R
Sutlej R
Jumna R
Ganges R
Gogra R
Gunduck R
Soane R
Sumpoo R
Brahmapootra R
Hugly R
Mouths of the Ganges
Sunderbunds
Moorshedabad
Berhampore
Burdwan
Calcutta
Fort William
Midnapore
Dacca
Rungpoor
Rungamutty
Khatmandoo
Sikkim
Annaroon Pass
Pauty Lake
Ruttampoor
Sumbulpoor
Kuttack
Mahanuddy R
Jaggernaut
Chilka L.
Ganjam
Vizianagur
Vizagapatam
Bastar
Belgaum
Ceeacole
Nagpoor
Bhoosawul
Jafferabad
Aurungabad
Ahmednuggur
Bassein
Salsette
Tapee R
Damaun
Diu I.
Runn
Bhooj
Gulf of Cutch
Baroda
Indore
Ougein
Bhopal
Saugur
Jubbulpore
Rewah
Allahabad
Cawnpore
Lucknow
Oude
Furruckabad
Agra
Dholpore
Gwalior
Ajmeer
Bhurtpoor
Meerut
Delhi
Umritsur
Lahore
Ravee R
Chenaub R
Jhelum R
Indus R
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Hyderabad
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Travancore
Quilon
Trivandrum
Tuticorin
Ramnad

REPORT

TO

THE SECRETARY OF STATE FOR INDIA IN COUNCIL

ON

RAILWAYS IN INDIA,

FOR THE YEAR

1863-64.

BY JULAND DANVERS, ESQ.,

GOVERNMENT DIRECTOR OF THE INDIAN RAILWAY COMPANIES.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:

PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

FOR HER MAJESTY'S STATIONERY OFFICE.

5187. 1864.

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REPORT.

To the Right Honourable Sir CHARLES WOOD, Bart., G.C.B., M.P.

SIR, India Office, 31st May 1864.

I have the honour to lay before you the following Report on Railway operations in India during the year 1863–64.

2. The length of line upon which traffic is carried has been extended to 2,687¾ miles, by the opening during the year 1863 of 233½ miles, and of 125 since the 1st January last. This increase is not so great as that which was made during each of the two preceding years, when 760 and 747 miles respectively were completed. Length of line open.

3. The following Table shows the length of each line now open for traffic, and the extent which remains to be finished :—

Railway.	Total Length (approximately given) at present sanctioned.	Length opened during 1863.	Length opened since 1st January.	Total Length opened now (1st May).	Length remaining to be finished, and Extent estimated to be completed in each Year.			
					1864.	1865.	1866 and subsequently.	Total.
	Miles.							
East Indian - { *Main line -	1,144¼	131	123¾	1,121	—	23¼	—	248¼
East Indian - { Jubbulpore line -	225	—	—	—	—	—	225	
Great Indian Peninsula - -	1,266	59¼	—	553	122	136	455	713
Madras - { S.-W. line and Bangalore branch - - -	490	—	—	448¾	41¼	—	—	401¼
Madras - { N.-W. line - -	360	—	—	—	78¾	—	281¼	
Bombay, Baroda, and Central India -	312	17¾	—	185½	126½	—	—	126½
Scinde - - - -	114	—	—	114	—	—	—	—
Punjab - - - - -	252	11½	—	43½	208½	—	—	208½
„ Delhi - - -	320	—	—	—	—	—	320	320
Eastern Bengal - - -	112	—	2	114	—	—	—	—
Great Southern - - -	161½	—	—	79	—	—	82½	82½
Calcutta and South-Eastern - -	29	14	—	29	—	—	—	—
Total - - - -	4,785¾	233½	125¾	2,687¾	577	159¼	1,359¾	2,100

* Exclusive of the continuation of the Raneegunge branch to the trunk line.

4. The additions made to the open line of the East Indian Railway include extensions to Allahabad and to Ghazeeabad, where the branch to Delhi strikes off, and where the junction with the Railway from the Punjab is to be effected. With the exception of the bridge over the Jumna at the former place, a continuous length of upwards of a thousand miles, exclusive of the branches, has thus been opened for public traffic. The Jumna bridge will not, probably, be finished before the end of next year.

5. The section of railway over the Bhore Ghât, on the South-Eastern line of the Great Indian Peninsula Railway, was opened on the 21st April, but it was found necessary to suspend traffic operations shortly afterwards, in consequence of slips having occurred in some of the embankments during the rains. This had

been partly expected, and the passenger traffic had, consequently, never been commenced. In November, the works had consolidated in a satisfactory manner, and the line was again opened for both descriptions of traffic.

6. The incline over the Thull Ghât, on the North-Eastern line of the same Company's undertaking, has not yet been finished, so that access to the cotton districts from Bombay still remains broken by a serious gap of 14 miles. Operations are, however, being vigorously prosecuted, and it is expected that the works will be completed by October in this year.

7. It is likewise expected that the section between Bombay and Bulsar, on the Bombay and Baroda Railway,—the non-completion of which really renders that line of comparatively little use to Bombay,—will be ready for traffic before the next cold season.

Madras and Bombay line.

8. It was mentioned in my last report that surveys were being made with the view of ascertaining the best route for a line between Madras and Bombay, which should take Hyderabad in its course. The surveys have been completed, and the Government of India has come to the conclusion that the main trunk line should go from Gooty to Sholapore, *viâ* Raichore; Hyderabad, as well as Bellary, being connected with it by a branch. The main line between Madras and Bombay will thus be seventy-five miles shorter than if it were taken by Hyderabad, and instead of traversing the comparatively uncultivated and thinly inhabited district between Cuddapah and Hyderabad, it will proceed through one fertile and populous. A glance at the map will show the relative positions of these lines.

Increased length of system.

9. It will be observed, by the table given above, that the total length of line sanctioned exceeds that formerly stated. This is accounted for by the increased length of the Punjaub and Delhi line, and of the lines between Madras and Bombay just adverted to; also by the addition of 82½ miles to the Great Southern Railway, which has been sanctioned during the past year, to enable a junction to be formed between it and the Madras Railway at Errode.

10. It is in contemplation to increase the extent still further, by continuing the Raneegunge and Barrakur branch of the East Indian Railway to some point on the main line near the Ganges. One great object of this extension is to obtain for the upper portion of the railway a cheap supply of good fuel, which the coal fields in the Kurhurbalee district would afford. It is estimated that a saving, to the amount of upwards of 50,000*l.* per annum, might be obtained thereby. But it would also have the effect of turning the branch into the direct main line, considerably reducing the distance between Calcutta and Allahabad, and so relieving the traffic on the circuitous route by Rajmahal, that there would be no necessity, for the present at least, to double the line between that place and Calcutta.

11. This increase of length to the system of guaranteed lines must necessarily require a proportionate increase of capital, as will be presently shown.

Opening of unguaranteed branch line.

12. I may here mention that the first unguaranteed railway, from the Nulhattee station, on the East Indian line, to Azimgunge, constructed by the Indian Branch Railway Company, was opened on the 21st December last. It is about 27 miles in length, and made for a single line, with a gauge of 4 feet, and rails 30 lbs. per yard. The traffic had not fairly commenced at the end of the year.

Progress on lines not opened.

13. Besides the completion during the past year of the 233 miles above referred to, the works have been going on vigourously on the lines in course of construction. Of the 3,360,000*l.* expended in the course of the year in India, probably only about 600,000*l.* or 700,000*l.* has been employed on the sections which have been opened for traffic.

Operations in this country.

14. In this country also progress has been made. The iron superstructure for some of the bridges has been manufactured, and, with rails, sleepers, locomotives, and stores of various kinds, has been shipped to India.

15. The following Table will show the extent of these operations, which nearly correspond with those of last year, when 280 ships were employed to convey 138,013 tons of goods, of the value of 1,487,582*l.*:—

Shipments.

Railway Company.	Number of Ships employed in 1863.	Amount of Goods in Weight and Measurement shipped in 1863.	Value of Goods shipped in 1863.	Amount paid for Freight and Insurance in 1863.
		Tons.	£	£
East Indian	47	47,380	527,447	74,864
Great Indian Peninsula	36	8,144	165,390	21,248
Madras	85	62,672	261,281	87,663
Bombay, Baroda, and Central India	57	26,235	195,336	47,905
Scinde	35	4,414	36,122	9,452
Punjaub		14,021	81,686	17,630
Indus Flotilla		288	2,175	590
Delhi	—	—	—	—
Eastern Bengal	11	173	7,099	330
Great Southern	3	2,293	3,710	3,758
Calcutta and South-Eastern	5	1,220	5,218	2,028
Total	279	166,840	1,285,464	265,468

Added to the shipments of former years, a total of 2,764,781 tons of railway materials, of the value of 15,128,856*l.* have been sent out to India from this country in 3,571 ships. In both cases the amounts were recovered from the underwriters.

16. During last year, two ships were lost in their way out, one with materials for the East Indian Railway, of the value of 10,800*l.*, and one laden with goods for the Madras Railway, worth 3,896*l.*

Rolling Stock.

17. The following Table will show the number of locomotives, carriages, and vehicles of various descriptions, added to the former stock of each Company during the year 1863:—

Name of Company.	Locomotives.			Carriages.		Trucks and Waggons.		Total Number of Vehicles, 31st December 1863.
	Former Number.	Added, 1863.	Total Engines.	Former Number.	Added, 1863.	Former Number.	Added, 1863.	
East Indian	184	171	355	480	25	3,015	478	3,998
Great Indian Peninsula	83	75	158	270	—	2,378	626	3,274
Madras	62	13	75	135	19	1,412	119	1,685
Bombay and Baroda	43	10	53	234	2	1,800	1,066	3,102
Scinde	20	6	26	45	12	307	274	638
Punjaub	5	—	5	22	—	105	—	127
Eastern Bengal	20	—	20	102	—	370	—	472
Great Southern	9	2	11	32	1	154	13	200
Calcutta and South-Eastern	6	—	6	42	—	157	—	199
Total	432	277	709	1,362	59	9,696	2,576	13,695

Number of Proprietors.

18. The number of proprietors and debenture holders has increased during the year from 31,420 to 33,358. The amount of capital has increased 10 per cent., and the number of proprietors only about 4 per cent. It will be observed that only about one in a hundred are Natives.

Railway Company.	Number of Shareholders					Number of Debenture Holders.	Total Number of Proprietors.
	With Stock to the Amount of 1,000*l.* and upwards.	With Stock of less than 1,000*l.*	Total Number in England.	Registered in India.	Of which latter are Natives.		
East Indian	3,936	4,469	8,405	244	87	3,313	11,962
Great Indian Peninsula	2,603	3,389	5,992	226	141	952	7,170
Madras	1,526	2,015	3,541	—	—	1,103	4,644
Bombay, Baroda, and Central India.	1,286	1,303	2,589	92	71	711	3,392
Scinde	474	552	1,026	16	3	340	1,382
Punjaub	500	661	1,161	17	2	63	1,241
Delhi	460	552	1,012	40	6	—	1,052
Indus Flotilla	88	214	302	—	—	122	424
Eastern Bengal	309	418	727	31	21	243	1,001
Great Southern	195	312	507	14	11	86	593
Calcutta and South-Eastern	99	235	334	80	54	83	497
Total	11,476	14,120	25,596	760	395	7,016	33,358

Persons employed on the lines.

19. The following Table, which, on account of the non-transmission of the returns from Bengal, is, I regret to say, very imperfect, gives some idea of the relative numbers of Europeans, East Indians, and Natives employed on the open lines. Last year the numbers were 35,468 Natives, and 2,344 Europeans and East Indians.

Name of Company.	Secretary's or Agent's Department.			Locomotive Department.			Engineers' Department.			Traffic Department.			General Store Department.			Electric Telegraph Department.			Grand Total.		
	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.	Europeans and East Indians.	Natives.	Total.
East Indian (Bengal Division)																					
Do. (North-West Provinces)																					
Total - -																					
Madras - - -	*24	*141	*165	356	2,616	2,972	47	3,177	3,224	89	945	1,034	18	80	98	12	10	22	546	6,069	7,515
Great Indian Peninsula -	7	133	140	173	2,008	2,181	54	191	245	185	2,584	2,769	30	546	576	1	23	24	450	5,485	5,935
Bombay, Baroda, and Central India - - -	5	10	15	49	321	370	12	1,825	1,837	37	122	159	2	10	12	2	16	18	107	2,304	2,411
Scinde - - - -																					
Punjaub - - -	10	31	41	88	542	630	27	1,851	1,878	38	173	211	2	127	129	19	10	29	184	2,734	2,918
Indus Flotilla - - -																					
Total - -																					
Great Southern of India -	6	4	10	20	14	34	3	319	322	3	123	126	—	—	—	2	—	2	34	460	494
Eastern Bengal - -	6	70	76	45	266	511	6	18	24	38	436	474	1	22	23	4	41	45	100	853	953
Calcutta and South-Eastern																					
* Including Accountant's Department - -	7	73	80																		
Including Medical ditto -	10	5	15																		

20. The number of persons permanently engaged on the railways is becoming every year more considerable, and when the lines are completed a large staff of officers and servants, European and Native, will find employment on them. It may be possible, by degrees, to transfer to Natives duties which can now only be entrusted to Europeans; but the process will, I fear, be a slow one, and, for some time, the chief positions will have to be occupied by Europeans, whose pay, speaking generally, is at least twice as much as that given to persons holding similar situations in England, and far more than it would be necessary to grant to Natives. This maintenance of a highly paid European agency is one of the obstacles to the economical working of Indian railways, and to it may be added the extra liability of losing the services of men who, from the nature of their occupation, from carelessness, or intemperance, expose themselves to the ill effects of a tropical climate, and either sink under them or return to Europe on sick leave. The very proper course is taken in this country of requiring all persons selected for employment, in every grade, to be passed as physically fit for service by the Companies' skilful Consulting Physician, Dr. Brinton, before they are finally appointed; and it is, probably, owing to this precaution that the casualties have not been greater than are shown in the accompanying table. The number of rejections shows that they would, probably, have been increased 25 per cent. in four years. Where they appear large in any one year among the staff of a particular Company, it is, most likely, owing to the prevalence of some epidemic.

Medical Returns.

TABLE showing Casualties among the European Staff of the Railway Companies and Rejections by Consulting Physician.

Company.	1860.			1861.			1862.			1863.			Total for 4 Years.	
	Deaths.	Retirements from ill health.	Rejections by Consulting Physician.	Deaths.	Retirements.	Rejections.	Deaths.	Retirements.	Rejections.	Deaths.	Retirements.	Rejections.	Casualties from Deaths, and Retirements from ill health.	Rejections by Consulting Physician.
Great Indian Peninsula	10	6	4	0	7	0	8	1	2	6	3	4	41	10
Madras - -	2	2	1	7	2	0	3	2	3	0	2	0	20	4
Bombay, Baroda, and Central India -	7	3	0	8	2	1	6	5	0	3	4	2	38	3
Scinde - -	0	0	0	0	0	0	1	2	3	1	2	3	6	6
Punjaub - - -	0	0	0	0	0	0	3	1	1	3	2	3	9	4
Indus Flotilla - -	0	0	0	0	0	0	1	1	1	1	1	1	4	2
Eastern Bengal -	0	2	0	3	0	0	0	1	1	1	2	2	9	3
Great Southern -	0	0	0	0	0	0	0	0	1	0	0	0	0	1
Calcutta and South-Eastern -	0	0	0	2	2	0	2	2	0	2	2	1	12	1
Total - -	19	13	5	20	13	1	24	15	12	17	18	16	139	34

21. It thus appears that the average number of deaths for the four years (excluding the East Indian Railway, from which I have been unable to obtain returns) is 20 per annum, and of retirements on account of failing health 15 per annum. Taking the number of Europeans in the employment of the nine Companies to be 2,800, the mortality would be less than one per cent. There are no means of judging of the provident habits of the European mechanic when in India. The rate of pay he receives should enable him to make provision for the future, but there is not the opportunity as in this country of exercising qualities of prudence by belonging to benefit and other societies. There are necessarily difficulties in the way of forming such associations for a service which is so heterogeneous and fluctuating as that of the Indian Railways. But I am happy to be able to state that a ready means of putting by their savings will soon be afforded to the railway servants in India. The East Indian Railway Company are about to obtain powers from Parliament to enable them to establish, at such stations as they may think fit, savings banks, at which their servants may deposit sums of any amount, and receive a fair rate of interest thereon. This is a step in the right direction, and, by the facilities which such banks will afford for the safe and profitable investment of small sums, an encouragement will be given to those habits of prudence and steadiness which produce the best servants. The example will, I trust, be followed by the other Railway Companies.

22. In the absence of the returns regarding accidents which ought to have been received from India, I regret that I am unable to give the usual information on this subject in this Report. During the year, however, no accident of any magnitude has been specially reported. Accidents.

FINANCIAL POSITION OF THE RAILWAY COMPANIES.

23. The following Statements exhibit, in detail, the financial position of each Company. Capital.

24. The operations for the year in this Department have, in the aggregate, been an increase to the capital of 6,066,966*l.*, 4,971,366*l.* having been raised by shares, and 1,095,600*l.*, by Debentures,—and an expenditure of 4,775,861*l.*, that in India having been 3,359,901*l.*, and in England 1,415,960*l.*

25. The whole capital raised, on the 1st of May instant, amounted to 54,285,088*l.*, and the expenditure to 51,144,722*l.* The expenditure during the year has been less than was estimated, the chief reason being, that the works on the Delhi line have not been proceeded with as was expected. Delay took place in fixing upon the exact route, and no part of the works was commenced until very recently. The expenditure has thus been only about 40,000*l.*, instead of 700,000*l.* The amounts expended on the Great Indian Peninsula and the Madras Railways are also considerably within the estimate, in consequence of no commencement having been made with those portions of these undertakings which depend upon the course selected for the line between Madras and Bombay. The amount raised by the Companies during the year nearly corresponds with that estimated, and as the expenditure is less the balance now in hand is greater than was expected. Instead of 1,100,000*l.*, there is upwards of 3,000,000*l.* to begin the year with. To the extent of the difference between these amounts, the calculations which were made with regard to future expenditure are likewise affected, the work of construction having only been postponed.

Statement No. 1.

Showing the Amount raised and expended by each Company during the year 1863-64.

Company.	Sums standing to the Credit of the Companies on the 30th April 1863.	Sums advanced to the Companies 30th April 1863.	Amount raised between 1st May 1863 and 30th April 1864.		Amount expended.				Total Raised during the Year ended 30th April 1864.	Total Expended during the Year ended 30th April 1864, (partly estimated.)
			By Shares.	By Debentures.	In England, between 1st May 1863 and 30th April 1864.	In India. Date to which Accounts have been received.	In India. Amount.	In India. Estimated Expenditure between dates specified and 30th April 1864.		
	£	£	£	£	£		£	£	£	£
East Indian - Main line	—	243,580	2,108,315	—	492,578	28th Feb. 1864	523,325	150,000	2,108,315	1,165,900
East Indian - Jubbulpore line	—			—	811	„	278,619	100,000		379,430
Great Indian Peninsula	787,568	—	1,158,116	303,700	196,187	„	702,395	200,000	1,461,816	1,098,582
Madras - S.-W. line	296,633	—	—	—	223,862	„	160,521	30,000	—	515,471
Madras - N.-W. line	277,645	—	531,946	—			76,088	25,000	531,946	
Scinde	—	250,028	314,400	150,000	99,635	„	115,630	12,000	464,400	227,265
Indus Flotilla	24,863	—	—	—	5,367	„	5,540	2,000	—	12,907
Punjab	—	37,284	99,083	500,000	69,237	„	244,032	60,000	599,083	373,269
Delhi	1,039,147	—	3,133	—	2,865	„	16,954	15,000	3,133	34,819
Bombay, Baroda, and Central India	—	17,549	623,373	41,900	287,251	„	460,916	80,000	665,273	828,167
Eastern Bengal	—	4,133	—	—	20,615	„	50,547	5,000	—	76,162
Calcutta and South-Eastern	—	22,799	—	—	3,489	„	22,121	5,000	—	30,610
Great Southern	—	13,137	133,000	100,000	14,063	„	16,216	3,000	233,000	33,279
Total	2,425,856	588,510	4,971,366	1,095,600	1,415,960	—	2,672,901	687,000	6,066,966	4,775,861
	Net Balance - £1,837,346									

Statement No. 2.

Estimated Expenditure of Railway Capital for the Year 1864–65.

Company.	Estimated Expenditure from 1st May 1864 to 30th April 1865.			Sum standing to the Credit or Debit of the Companies on the 1st May 1864.	Sums to be raised by the Companies.	Total Amount placed and to be placed Home Treasury of Government.	Estimated Balance, 1st May 1865.
	In England.	In India.	Total.				
	£	£	£	£	£	£	£
East Indian - - - { Main line -	200,000	800,000	1,000,000	319,405	2,250,000	2,569,405	269,405
{ Jubbulpore -	300,000	1,000,000	1,300,000				
Great Indian Peninsula - - - -	214,300	927,500	1,141,800	1,150,802	250,000	1,400,802	259,002
Madras - - - - { S.-W. line -	100,000	83,000	183,000	590,753	750,000	1,340,753	317,753
{ N.-W. „ -	500,000	340,000	840,000				
Scinde - - - - - -	20,000	80,000	100,000	Dr. 12,893	90,000	77,107	Dr. 2,893
Indus Flotilla - - - - -	40,000	20,000	60,000	11,956	50,000	61,956	1,956
Punjab - - - - -	60,000	100,000	160,000	188,530	50,000	238,530	78,530
„ Delhi - - - - -	300,000	400,000	700,000	1,007,461	100,000	1,107,461	407,461
Bombay, Baroda, and Central India - -	200,000	300,000	500,000	Dr. 180,443	700,000	519,557	19,557
Eastern Bengal - - - - -	120,000	70,000	190,000	Dr. 80,295	280,000	199,705	9,705
Calcutta and South-Eastern - - -	5,000	25,000	30,000	Dr. 53,409	90,000	36,591	6,591
Great Southern of India - - -	84,000	110,000	194,000	186,584	100,000	286,584	92,584
Total - - -	2,143,300	4,255,500	6,398,800	Cr. 3,455,491 Dr. 327,040 Net Cr. 3,128,451	4,710,000	7,838,451	1,439,651

Statement No. 3.

Showing the Amount of Capital estimated to be required for each Undertaking, with a single Line, as now sanctioned, the Amount raised, and the Amount expended, to 30th April 1864.

Company.	Amount estimated to be required for the Undertaking as now sanctioned.	Amount authorized by Government to be raised.				Amount raised in England to 30th April 1864.			Amount raised in India to Date of last Advices.	Total raised to 30th April 1864.	Total Amount advanced for Expenditure to 30th April 1864 (partly estimated).
		Share Capital.	Debentures.		Total.	By Shares.	By Debentures.				
			Convertible into Shares.	Inconvertible.			Convertible.	Inconvertible.			
	£	£	£	£	£	£	£	£	£	£	£
East Indian - Main line -	23,000,000	17,277,801	2,472,199	3,000,000	22,750,000	14,480,059	2,472,199	3,000,000	254,545	20,206,803	21,221,681
East Indian - Jubbulpore -	3,500,000	2,000,000	—	—	2,000,000	1,952,135	—	—	7,664	1,959,799	628,736
Great Indian Peninsula - -	16,000,000	11,000,000	—	3,000,000	14,000,000	9,456,441	—	2,303,700	367,858	12,127,999	10,977,197
Madras - S.-W. line and Bangalore branch (85 m.) -	5,500,000	3,167,150	1,499,550	333,300	5,000,000	3,163,030	1,499,550	333,300	—	4,995,880	5,913,553
Madras - N.-W. „ „ -	4,500,000	3,000,000	—	—	3,000,000	2,327,048	—	—	—	2,327,048	816,928
Scinde - - - -	2,000,000	1,596,100	253,900	150,000	2,000,000	1,522,745	253,900	150,000	20,974	1,947,619	1,879,898
Indus Flotilla - - - -	400,000	295,100	82,900	—	378,000	250,005	82,900	—	—	332,905	320,948
Punjab - - - - -	3,000,000	1,500,000	—	500,000	2,000,000	1,465,258	—	500,000	8,344	1,973,602	1,861,773
„ Delhi - - -	5,000,000	2,500,000	—	—	2,500,000	1,042,187	—	—	3,893	1,046,080	40,325
Bombay, Baroda, and Central India	5,500,000	4,150,000	850,000	100,000	5,100,000	3,770,796	849,995	41,900	21,662	4,684,353	4,865,037
Eastern Bengal - - -	1,800,000	1,000,000	—	600,000	1,600,000	990,745	—	400,000	9,255	1,400,000	1,479,482
Calcutta and South-Eastern -	600,000	310,000	90,000	100,000	500,000	290,377	90,000	—	19,623	400,000	453,475
Great Southern - - -	1,500,000	862,300	166,000	137,300	1,165,600	628,479	153,300	100,000	1,221	883,000	685,689
Total - - -	**72,300,000**	48,158,451	5,414,549	7,920,600	**61,993,600**	41,339,305	5,401,844	6,828,900	715,039	**54,285,088**	**51,144,722**

Capital expenditure.

26. An increase will be observed in the estimated amount of capital expenditure. In previous reports, I have expressed doubts as to the sufficiency of the estimates then given. To the reasons for those doubts which then existed, viz., the invariable disappointment which occurs in regard to all original estimates for any large works, and the special want of information and experience with respect to such novel undertakings as railways in India, may now be added the increased length of line caused by alterations in the routes of some of the railways, or by additions to others. The East Indian Railway Company will probably have added 200 miles to its lines as originally projected. The Great Indian Peninsula Railway will also most likely be increased by 30 or 40, the Madras by about the same, the Punjab and Delhi by 30, and the Great Southern by 82 miles, making in all an addition of nearly 400 miles to the 4,679 miles given in last year's report as the total length which had been sanctioned. Then again, it is not impossible that the Steam Flotilla on the Indus may have to be superseded by a railway, which would add another 450 miles to the present system. With respect also to the estimates *now* made, it should be borne in mind that they relate to railways constructed for the most part with single lines of rails, so that when the time comes for doubling them an additional outlay of from three to four thousand pounds a mile will have to be incurred. Looking forward to the necessity which will arise during the next 20 or 30 years for this work—a necessity, however, which should not be acknowledged except on the strongest proofs that danger is incurred and profitable traffic lost by the want of a second line,—having regard also to the increased extent of line above indicated, and to the large supply of rolling stock and locomotives that will be required, it is not improbable that, before the end of the present century, ninety or a hundred millions will have been spent upon the guaranteed system of Indian railways. Nor will this system alone be found sufficient to meet the wants of the country, which will have to be met by numerous branches and feeders.

System for granting subsidies to certain lines.

27. A commencement has already been made in this direction by the Indian Branch Railway Company, which, as noticed in para. 12, has opened for traffic its first line. The same Company has also received from the Government authority to undertake the construction of a railway, of the standard 5 feet 6 inch gauge, extending from the East Indian Railway, near Buxar, to the Delhi and Lahore Railway, near Saharunpoor, together with three or four branch or cross lines, to connect the two main lines, the whole amounting to about 800 miles. The aid given by the Government to this undertaking is in the shape of a subsidy, the payment of which is contingent on the actual completion and maintenance of the line. Such kind of assistance is the beginning of a system which the Government intend to substitute for the guarantee. In this case (and each case is to be decided according to the special character of the project) the Government provide the necessary land free of expense, and grant 100*l.* a mile annually for 20 years. They also pay an additional 100*l.* for 20 years on every 10,000*l.* expended on the bridges which are estimated to cost more than 10,000*l.* The East Indian Tramway Company has also made arrangements, upon somewhat similar terms, for the construction of certain branch lines in connexion with the Madras Railway, which are described hereafter.

Annual expenditure of Capital.

28. The amount that has been annually expended, and the length of line that has been opened in each year, will be found in the subjoined Table :—

Year.	Miles opened during the Year.	Expended in England.	Expended in India.	Total.
		£	£	£
Up to 1850 -	—	130,375	44,781	175,156
In 1851 -	—	154,212	197,111	351,323
„ 1852 -	—	174,920	252,640	427,560
„ 1853 -	22¼	252,484	418,165	670,649
„ 1854 -	50¼	960,878	768,710	1,729,588
„ 1855 -	98¼	1,939,101	1,431,904	3,371,005
„ 1856 -	101¾	1,752,813	1,765,094	3,517,907
„ 1857 -	143	1,324,873	2,092,395	3,417,268
„ 1858 -	145	1,940,052	3,551,073	5,491,125
„ 1859 -	74½	2,507,949	4,654,923	7,162,872
„ 1860 -	208	2,396,924	5,192,846	7,589,770
„ 1861 -	759	1,596,010	4,962,604	6,558,614
„ 1862 -	747	1,854,289	3,956,563	5,810,852
„ 1863 -	233½	1,411,661	3,360,114	4,771,775
Total -		18,396,541	32,648,923	51,045,464

vision of expenditure.

29. The following Statement shows the manner in which the expenditure on the different undertakings has been divided, so far as it has been allocated:—

Railway Company.	Works and Bridges, &c.	Permanent Way and Stations.	Freight and Insurance.	Rolling Stock.	Establishments.	Miscellaneous, Electric Telegraph, Stores, &c.
	£	£	£	£	£	£
East Indian - - -	6,754,754	4,719,926	2,272,682	2,350,892	2,709,309	1,782,573
Great Indian Peninsula - -	4,265,652	2,367,869	1,628,539 Including Stores.	963,850	689,500	101,700
Madras - - - -	2,009,102	1,924,865	—	399,833	481,549	233,848
Bombay, Baroda, and Central India	1,719,602	930,094	396,938	369,093	322,896	470,547
Scinde - - - -	657,597	344,080	138,793	163,241	69,913	347,999
Punjab - - - -	68,916	571,463	333,569	208,347	89,414	159,909
Indus Flotilla - - -	11,298	Steamers and Barges. 243,028	9,558	—	20,232	46,697
Eastern Bengal - - -	423,298	551,795	135,895	116,744	157,328	71,730

TRAFFIC OF THE RAILWAYS.

30. The general results of the traffic during the past year will be found to be satisfactory, notwithstanding the serious drawbacks to its development which the incomplete state of the lines and of the roads to the stations present. There has been a continuous increase in the receipts both from passengers and goods, in a direction which it is reasonable to expect will continue, for it has been produced, not by accidental causes, but by the gradual development of trade and of locotive habits among the population at large, which seem to grow, almost as by a law, in proportion to the means provided. The amount received for the conveyance of goods in the year ending the 30th June 1862 was about 590,000*l.*; in the year ending 30th June 1863 it was about 1,033,000*l.* The receipts from passengers during the same periods were about 438,829*l.* and 679,400*l.* respectively.

31. The net earnings in 1863 were about 780,000*l.*, compared with 434,000*l.* in in 1862; and these, it should be remembered, are only the aggregate results of the working of several incomplete and broken lines.

32. While the traffic will undoubtedly be large, it still remains to be seen whether that traffic will be worked with a corresponding profit. The cost of construction has been greater than was expected on most of the lines, and the expense of working and maintenance will not be less than was expected. Yet, with good management and economy, and a judiciously framed tariff of rates and fares, there is no reason for taking a discouraging view of the future. The cost per mile of the various undertakings has varied considerably, and the following Table will show what the gross earnings of each should be to yield 5 per cent. upon the present estimated capital, *fifty per cent.* being taken for the expense of working and maintenance. It will also be seen what they are now earning. If the working expenses and the cost of maintenance were to exceed 50 per cent., the gross earnings must of course be proportionately increased to produce the same net revenue. In the United Kingdom, the gross receipts per mile during the year 1862 were 2,521*l.* 14*s.* 8*d.*, or 48*l.* 13*s.* 5*d.* per mile per week, the proportion of expenses for working and maintenance to the gross receipts being 49 per cent., and the average cost per mile being about 33,350*l.* The circumstances of the two countries and systems are so different, that any comparison at all may be considered inappropriate. While the English railways may be said to have arrived at maturity, those in India can hardly be considered to have reached their infancy.

A comparison, however, of this kind often presents some points of interest and instruction.

Name.	Estimated Cost.	Gross annual Earnings required to yield 5 per cent. deducting 50 per cent. for Working Expenses.	Earnings per Mile per Year	Weekly Earnings per Mile	Highest Amount of weekly Earnings per Mile, by Accounts hitherto received.
	Miles. Per Mile. £	£	£	£	£
East Indian - -	*1,130 at 20,000	2,260,000	2,000	38	Bengal Division 38 N. W. „ 26
Great Indian Peninsula -	1,266 „ 13,000	1,645,800	1,300	25	£30
Madras - - -	850 „ 11,000	935,000	1,100	21	14
Bombay, Baroda, and Central India - -	312 „ 16,000	500,000	1,603	30	20
Scinde - -	114 „ 18,000	205,200	1,800	35	24
Eastern Bengal - -	110 „ 14,500	160,000	1,454	28	20
Great Southern - -	79 „ 8,800	70,000	880	17	9
	3,861 miles.	5,776,000	Average 1,496	Average about 30	—

* Exclusive of the Jubbulpore Line.

33. The following Statement shows the manner in which the cost of maintenance and working is divided on some of the lines open for traffic. For the sake of comparison, the same information with respect to English railways is also given.

Division of charges for maintenance and working.

Railway Company.	Maintenance of Way and Works.	Locomotive Power.	Repairs to Rolling Stock.	Traffic Charges.	Compensations.	Miscellaneous and General.	
East Indian, Bengal - -	25·36	36·60	8·77	13·11	·08	16·07	100
„ North-West Provinces	17·12	44·42	12·10	12·02	·06	14·28	„
Great Indian Peninsula - -	18·96	26·76	9·46	21·50	*16·57	6·75	„
Madras, South-West Line -	48·64	33·70	1·32	12·20	·59	3·55	„
„ North-West Line -	20·16	58·33	1·89	16·85	—	2·77	„
Scinde - - - -	35·49	28·39	11·10	15·29	·01	9·72	„
Punjaub - - - -	15·08	27·14	8·99	22·31	—	26·48	„
Bombay, Baroda, and Central India	25·19	39·01	3·36	17·34	·81	14·29	„
Eastern Bengal - - -	11·18	39·65	6·84	17·59	nil.	24·74	„
Calcutta and South-Eastern -	—	52·67		34·29	—	13·04	„
Great Southern - -	6·52	65·		14·10	—	14·38	„
Average of Lines in the United Kingdom for 1862 - -	18·99	27·79	8·71	27·95	1·59	†14·97	„

* Including heavy losses from destruction of cotton by fire.
† Including taxes, law expenses, Government duty, &c.

34. Compared with English railways, the Indian lines (some more than others) labour under the disadvantage of expensive fuel, of a more rapid deterioration of works under atmospheric influences, and of an expensive European agency. The first will be seen in the increased cost of locomotive power; and, to show the importance that is to be attached to the question, the following statement of the Locomotive Superintendent of the Madras Railway on the saving he expects to effect by the use of wood, may be taken as a single illustration :—

Working charges peculiar to Indian Railways.

Fuel.

"As regards wood burning, the number of engines fitted with spark catchers has been greatly increased, and, if I can continue to get ample supplies of firewood at anything like present rates, the saving in cost of fuel will be very great. The total cost of fuel consumed by engines, on capital and revenue account in the month of November, was Rs. 9,215 less than in July last, although with an

increased mileage and heavier average loads; this is entirely due to the decrease in the consumption of coke and coal by the substitution of firewood. From the 1st of January 1864, I hope to reduce the expenses to Rs. 10,000 per month less on revenue account than they would be were we burning coke and coal only. As we are now burning wood almost exclusively in the interior of the country, that is, from Vellore to Palghaut, the cost of carriage of fuel is so much reduced by the shorter average loads, that, in next half year, commencing 1st January 1864, I can put coals on to the tenders at Rs. 25 per ton, instead of at Rs. 30. Our present consumption averaging about 8,000 tons per annum, this reduction will effect a greater saving of about Rs. 40,000 per annum; and, if the coal is purchased in this country at the rate of Rs. 20 per ton delivered in our yard, I can put it on the tenders at an average cost of about Rs. 22. 8 per ton, being an additional annual saving of Rs. 20,000, or a total saving of Rs. 60,000 a year." The East Indian Railway Company also calculate that by availing themselves of a particular coal-field, containing a superior description of coal, they will save 50,000*l.* a year.

Effects of climate.

35. The second drawback, viz., the effects of the climate upon the works, will be visible in the maintenance charges, and the last, viz., an expensive European agency, will affect all Departments. Mr. R. W. Crawford, the Chairman of the East Indian Railway Company, at the last meeting of that Company, observed that, "considering the work done for the money, the cost of sending men out to India, "and other matters, the average cost of European labour in India was as 5 to 1 "in England." This is probably very near the mark, but against this high charge may be set the low cost at which Native labour is obtained, in comparison with that paid in England; and the proportion of Europeans to Natives employed on the Indian railways is about 1 to 15. On the other hand, English lines are subject to drawbacks from which Indian lines are exempt. The average cost is more than twice as large, and the annual expenses are, in some respects, greater. The rates and taxes, for instance, and the Government duty, amount to 6·81 per cent.; and Parliamentary and law expenses, on an average, amount to 1·54 per cent of the whole. The Indian lines escape these, and also the reduction in their traffic from competitive lines, which, in spite of the Parliamentary expenses incurred to prevent them, are sanctioned in this country. The whole question is a most important one for the Indian Railway Companies to consider and look into, and it will require the vigilant and constant attention of their agents and officers. It is evident, already, that upon the reduction of the annual expenses chiefly depends the increase of the profits.

European Agency.

Working Expenses compared with those on England.

Rates and Fares.

36. Another question of great importance, as affecting the success or otherwise of these undertakings, is that of rates and fares. The object, both of the Government and the Companies, is so to regulate them as to produce the highest profits. There is a point at which the greatest amount of traffic can be produced at the smallest cost, and rates are too high or too low when they have the effect of reducing the traffic below or increasing it beyond that point. It will be observed, in some of the traffic returns hereafter given, that the receipts have increased, although the traffic has diminished. If the traffic has not been reduced too much, the object has been attained. But it is possible that the rates may have been raised a little too high, and that more traffic might have been taken, at a less profit per passenger or per ton of goods, and yet so as to produce greater aggregate profits. It is a subject that, at present, requires the careful and constant attention of those who have the opportunity of watching the working of the railways. It is the duty of the Government to see that the public are protected, by taking care that a moderate scale of maximum rates is established; but the arrangement of the actual charges within that scale might, perhaps, be left with advantage to the railway managers. The following Table shows the fares for a hundred miles journey on the various Indian lines, as well as the charges for the same distance on some of the English railways. The fares on the former will be found to be much below those on the latter, especially in the third class, in which the charge is sometimes as low as at the rate of a farthing ($\frac{1}{4}d.$) and never more than a halfpenny ($\frac{1}{2}d.$) per mile. The second class varies from under three farthings ($\frac{3}{4}d.$) to about five farthings ($1\frac{1}{4}d.$) per mile, and the first class from five ($1\frac{1}{4}d.$) to six farthings ($1\frac{1}{2}d.$) per mile.

STATEMENT showing the Fares for 100 miles Journey on the following Railways.

Name.	1st Class.	2d Class.	3d Class.	Parliamentary.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
East Indian - - -	10 9	9 4	3 1	—
Great Indian Peninsula - -	11 5½	5 8½	2 8½	—
Madras - - - -	11 5½	4 9	2 10½	—
Bombay and Baroda - -	12 6	7 3	4 2	—
Eastern Bengal - - -	12 6	6 3	3 1½	—
*Great Southern - - -	10 0	6 8	2 3½	—
Sinde (105 miles) - - -	11 0	7 4	3 8	—
English.				
Great Northern - - -	20 6	13 6	8 4	8 4
London and Dover - -	20 0	13 5	8 4	8 4
Great Eastern - - -	20 7	16 6	12 6	8 4
Brighton - - - -	16 6	13 0	8 4	8 4
London and North-Western -	17 11	12 11	8 4	8 4
Great Western - - -	17 6	13 3	8 5	8 4

* For 79 miles, being the whole length open.

37. The following Statement shows the amount that has been paid to the several Railway Companies in this country for guaranteed interest up to the 31st December 1863. Some of them have reduced the amounts against their respective names, by payments into the Government treasuries in India of their net earnings. The total so paid reaches to about 2,400,000*l.*

Company.	Interest paid up to 31st December 1862.	Interest paid during 1863.			Total Amount paid up to end of 1863.
		England.	India.	Total.	
	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
t Indian - - -	4,213,143 6 3	976,709 8 8	10,256 6 3	986,965 14 11	5,200,109 1 2
at Indian Peninsula	1,783,215 10 7	494,227 2 10	18,327 16 7	512,554 19 5	2,295,770 10 0
ras - - -	1,157,098 4 2	323,099 1 11	—	323,099 1 11	1,480,197 6 1
de - - -	264,958 8 8	72,342 4 1	1,035 15 0	73,377 19 1	338,336 7 9
jab - - -	162,246 1 1	66,807 16 8	394 7 8	67,202 4 4	229,448 5 5
ni - - -	—	37,919 8 5	66 14 6	37,986 2 11	37,986 2 11
s Flotilla - -	51,439 13 1	16,640 13 8	—	16,640 13 8	68,080 6 9
bay, Baroda, and entral India - -	404,364 7 7	182,791 6 0	1,083 2 4	183,874 8 4	588,238 15 11
tern Bengal - -	137,780 10 0	69,655 17 1	338 0 0	69,993 17 1	207,774 7 1
utta and South-astern - - -	36,173 6 10	18,350 7 11	1,283 4 8	19,633 12 7	55,806 19 5
at Southern - -	58,770 14 5	32,276 6 2	—	32,276 6 2	91,047 0 7
	£8,269,190 2 8	£2,290,819 13 5	£32,785 7 0	£2,323,605 0 5	£10,592,795 3 1

38. The following remarks apply to the various undertakings separately, and to the traffic of each.

EAST INDIAN.

39. This Company is now conveying traffic over a length of 1,101 miles, 252¼ of which have been opened since the 1st January 1863. Were it not for the break at the Jumna, which it is feared may continue for another eighteen months, there would be a continuous length of about 1,000 miles from Calcutta to Ghazeeabad (Delhi Junction), upon which traffic is being carried. The sections opened during the year, were—

5½	miles from	Topooi to Babisole - -	1st January 1863.
84½	„	„ Shekoabad to Allyghur -	1st March „
1½	„	„ Raneegunge to Searsole,	21st September 1863.
39½	„	„ Benares to Mirzapore -	1st January 1864.
56¾	„	„ Mirzapore to Allahabad -	1st April - „
66	„	„ Allyghur to Ghazeeabad -	„ „

40. A length of about 240 miles is now under construction, of which 12 belongs to the branch line from Ghazeeabad to Delhi, including the bridge over the River Jumna, and 225 to the Jubbulpore line. The progress making on these works is considered satisfactory. This great undertaking is likely still further to be increased, by the extension, as described in a former part of this Report, of what has been known as the Raneegunge branch, from its present terminus at Barrakur to some point near the Ganges on the trunk line. These works, and the probable necessity for making portions of the line double, will involve a further expenditure, and powers are about to be obtained from Parliament to increase the capital by 7,000,000*l.*, the same to be raised from time to time during the next few years, as required and sanctioned by the Government.

41. The steam-vessels which were used for the transport of materials up country are being sold, and the capital account will be relieved to the amount produced by their sale.

42. The traffic is rapidly increasing, especially since the period to which the following details are brought, and the results are upon the whole encouraging, although the working expenses are high compared with former years. There can be no doubt that the traffic will be very large, and, taking into account the heavy cost of the line, the annual gross receipts must amount to about two millions and a half sterling before 5 per cent. on the capital can be earned.

43. The following Tables contain details connected with the traffic, in continuation of those given in former Reports, and are brought down to the 30th June 1863.

Statement No. I.

Comparative Statement, showing the Amount of Receipts from Passengers and Goods, the Working Expenses, and the Net Profits, during the Years ending 30th June 1859, 1860, 1861, 1862, and 1863.

Bengal Division.

Period.	Mean Number of Miles open.	Receipts from Conveyance of			Total Receipts.	Working Expenses.			Net Profits.
		Passengers.	Merchandise.	Miscellaneous.		Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£	£
Half-year ending 31st December 1862	396	80,702	112,797	7,152	200,651	82,736	30,572	113,308	87,343
Ditto, 30th June 1863	606⅜	150,686	230,755	10,391	391,832	138,745	55,004	193,749	198,083
Year ending 30th June 1863	Mean. 501	231,388	343,552	17,543	592,483	221,481	85,576	307,057	285,426
Year ending 30th June 1862	311	148,107	230,302	15,037	393,446	129,069	69,595	198,664	194,782
Ditto, 1861	217	116,371	85,504 81,192	13,436	297,533	112,525	30,869	143,394	153,139
				Railway Materials.					
Ditto, 1860	166	98,809	133,334	16,371	239,516	—	—	106,265	133,251
Ditto, 1859	166	73,947	92,517	21,525	192,836	—	—	96,184	96,651

North-West Provinces Division.

Period.	Number of Miles open.	Receipts from Conveyance of			Total Receipts.	Working Expenses.			Net Profits.
		Passengers.	Merchandise.	Miscellaneous.		Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£	£
Half-year ending 31st December 1862	279	32,006	49,906	1,625	83,537	42,649	6,991	49,630	33,907
Ditto, 30th June 1863	304	50,075	72,318	2,139	124,532	50,654	11,202	61,856	62,676
Year ending 30th June 1863	Mean. 296	82,081	122,224	3,764	208,069	93,303	18,193	111,486	96,583
Year ending 30th June 1862	245¼	62,268	92,857	4,634	159,759	44,092	29,453	73,545	86,214
Ditto, 1861	123	38,623	68,479	3,839	110,941	—	—	49,501	61,441
Ditto, 1860		28,837	41,541	8,915	79,293	—	—	40,371	38,922

Statement No. II.

Comparative Statement showing the Proportion of Working Expenses to Gross Receipts, and the Proportion per cent. of Receipts from Passengers and Goods.

Bengal Division.

Period.	Percentage of Working Expenses to Gross Receipts.	Proportion per cent. of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1859	45·04	35·9	64·
„ „ 1860	44·36	37·4	62·5
„ „ 1861	48·35	39·3	60·7
„ „ 1862	50·49	39·63	60·37
„ „ 1863	51·80	38·8	61·2

North-West Provinces Division.

Period.	Percentage of Working Expenses to Gross Receipts.	Proportion per cent. of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1860	50·91	36·1	63·9
„ „ 1861	44·61	34·8	65·2
„ „ 1862	46·03	36·13	63·87
„ „ 1863	53·60	39·4	60·6

Statement No. III.

Comparative Statement showing the Number of Passengers conveyed during the Years ending 30th June 1859, 1860, 1861, and 1862.

Bengal Division.

Period.	Average. Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
Year ending 30th June 1859 -	166	15,106	57,309	1,199,517	1,271,932
„ „ 1860 -	166	17,334	69,693	1,440,740	1,527,767
„ „ 1861 -	217	19,403	69,583	1,561,461	1,650,447
„ „ 1862 -	311	22,420	76,421	1,838,259	1,937,100
„ „ 1863 -	501	27,786	86,638	2,310,757	2,425,181

North-West Provinces Division.

Period.	Average. Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
Year ending 30th June 1860 -	123	2,979	7,433	196,344	206,756
„ „ 1861 -	—	2,856	4,872	219,078	226,806
„ „ 1862 -	245	3,874	7,079	331,982	342,935
„ „ 1863 -	292	4,649	9,427	463,088	477,164

Statement No. IV.

Comparative Statement showing the Total Number of Passengers conveyed per Mile, and the Total Number per Mile of each Class.

Bengal Division.

Period.	Total Number of Passengers conveyed per Mile.	Total Number conveyed per Mile in		
		1st Class.	2d Class.	3d Class.
1859	9,661	106·3	403·5	9,151·5
1860	9,203	104·4	419·8	8,679·1
1861	7,605	89·2	320·7	7,195·1
1862	6,228	72·	245·7	5,910·8
1863	4,860	55	173	4,632

North-West Provinces Division.

Period.	Total Number of Passengers conveyed per Mile.	Total Number conveyed per Mile in		
		1st Class	2d Class.	3d Class.
1860	1,590·9	24·2	60·4	1,506·2
1861	1,844	23·3	39·6	1,781·1
1862	1,399	15·8	28·9	1,355
1863	1,633	15·9	32·2	1,585

GREAT INDIAN PENINSULA RAILWAY.

44. This Company has added $59\frac{1}{4}$ to the $497\frac{3}{4}$ miles which were open at the commencement of 1863, leaving 709 to be constructed. The section over the Bhore Ghât, $13\frac{1}{2}$ miles in length, a description of the works on which was given in my last Report, was opened in April 1863, and that between Julgaum and Mulkapoor was opened in May last. This latter section enters the cotton districts of Berar, but until the works on the Thull Ghât are finished, which is expected to be the case in October next, the communication between Bombay remains very incomplete, and the objects for which the line was made cannot properly be accomplished. After the opening of the Bhore Ghât in April, it was found necessary to suspend the traffic in consequence of slips in the embankments. It was again opened in November. Referring to the probable effects upon the traffic when the Ghâts are traversed by the railway, the Consulting Engineer to the Government of Bombay, Captain Trevor, remarked in October last,—"The extensions into the cotton "districts of Berar and Nagpôre, and the removal of those ghât barriers that have "led each monsoon to such disastrous losses both to the public and the Company, "will develope enormously the trade of the country, and will pour on the railways "such an increase of traffic as will probably render imperative the doubling of "the line in the Concan divisions." The losses referred to are occasioned by the great difficulty in providing adequate means for carrying on the traffic between the temporary termini at the head and foot of the ghât. Early in March this year the accumulation was such that it was expected to take thirty-seven days to clear it. These difficulties will vanish when the gaps are filled up and the ghât line is at work; in the mean while, an experienced Manager has proceeded to Bombay to organize proper traffic arrangements, and to place that department on a footing of permanent efficiency. The expenses of working the line during the past year have been greatly swelled by losses from fire, which the precautions hitherto adopted have failed to prevent. The greater portion of the cotton, being loosely packed, is liable to be easily ignited, and in one or two instances almost a whole train has been consumed. The establishment of presses for reducing the size of the bales, and putting them into proper shape, has become an urgent necessity. In the mean time, differential rates are charged for the conveyance of pressed and unpressed cotton, with the view of encouraging the former.

Statement No. I.

Statement showing the Amount of Receipts from Passengers and Goods, and of Working Expenses, during the Years ending 30th June 1859, 1860, 1861, 1862, and 1863.

Period.	Number of Miles open.	Receipts.			Working Expenses.			Net Receipts.
		Passengers.	Goods.	Total.	Working.	Maintenance.	Total.	
		£	£	£	£	£	£	£
Half-year ending 31st December 1862	464	69,528	83,756	153,284	75,327	19,693	95,020	58,264
Half-year ending 30th June 1863	504	79,161	155,182	234,343	—	—	149,559	84,784
	Average.							
Year ending 30th June 1863	484	148,689	238,938	387,627	—	—	244,579	143,048
" " 1862	437¾	123,143	156,115	279,258	128,470	64,220	192,690	86,568
" " 1861	320	105,607	123,182	228,789	135,042	23,869	158,911	69,778
			Railway Materials.					
" " 1860	279	72,747	81,267 27,663	181,677	—	—	106,796	74,881
" " 1859	194	60,785	57,079 29,567	147,431	—	—	65,491	82,940

Statement No. II.

Statement showing the Proportion of Working Expenses to Gross Receipts, and the Proportion of Receipts from Passengers and Goods.

Period.	Proportion per cent. of Working Expenses to Gross Receipts.	Proportion of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1859	44·1	41·7	58·3
" " 1860	58·7	40·4	60·6
" " 1861	69·5	46·2	53·8
" " 1862	68·7	44·1	55·9
" " 1863	62·9	38·36	61·64

Statement No. III.

Statement showing the Number of Passengers conveyed during the Years ending 30th June, 1859, 1860, 1861, 1862 and 1863.

Period.	Number of Miles open.	Number of Passengers.				Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	4th Class.	
Year ending 30th June 1859	194	12,938	107,919	1,040,644		1,161,501
" " 1860	279	11,133	166,740	1,116,947		1,294,820
" " 1861	320	20,121	183,522	855,126	955,172	2,013,941
" " 1862	Mean, 416	22,448	147,883	1,996,673	342,958½	2,509,962½
" " 1863	" 484	26,201	157,434	2,754,416	Discontinued in Oct. 1861.	2,938,051

Statement No. IV.

Statement showing the Number of Passengers conveyed per Mile, and the Number per Mile in each Class.

Period.	Total Number of Passengers conveyed per Mile.	Number conveyed per Mile in each Class.			
		1st Class.	2d Class.	3d Class.	4th Class.
Year ending 30th June 1859	5,987	67	556	5,364	—
" " 1860	4,358	37	560	3,761	—
" " 1861	6,293	62	573	2,672	2,984
" " 1862	6,043	54	355	4,810	824
" " 1863	6,069	54	325	5,690	—

MADRAS RAILWAY.

45. This Company has now a length of 447 miles open for traffic, 406 on the South-West, and 41 on the North-West line, of which 14 on the latter were opened during the past year. The branch to Bangalore has not been completed so soon as was expected, but will be open in the course of the present year. The construction of the line towards Cuddapah is proceeding satisfactorily. The result of the surveys which were made of the line from Cuddapah to Hyderabad for the trunk line to Bombay was not encouraging. The alternative plan of taking it by Gooty and Raichore, and having a branch to Hyderabad, has been decided upon.

46. The traffic, whilst still moderate, is improving in a satisfactory manner. The receipts, both from passengers and goods, have increased, and the working expenses have decreased. The cost of maintenance remains high in consequence of the charge upon revenue of a considerable portion of the expense incurred in replacing wooden sleepers by those of iron. It is satisfactory, however, to observe a gradual reduction in the ordinary working expenses, and to find that for the last half-year those for working and maintenance together have been reduced from 75 to 64 per cent. Two lines of tramway are about to be constructed by the Indian Tramway Company, viz., from the Arconum Station on the Madras Railway to Conjeveram, and from the Arcot Station to Wallajanuggur, which will be of great help in developing the resources of those districts, and in promoting the traffic on the railway. In considering this Company's prospects of success, it should be borne in mind that the original cost of the South-West line presents a very encouraging feature. Including rolling stock, the outlay has not exceeded 10,000*l.* per mile, which, compared with that on lines in other parts of India, is very moderate.

47. The following Tables furnish the results of the traffic for the half-years ending 30th December 1862 and 30th June 1863, as well as of the previous years:—

Statement No. I.

Showing the Amount of Receipts from Passengers, Goods, &c., and of Working Expenses, during the Years ending 30th June 1859, 1860, 1861, 1862, and 1863.

Period.	No. of Miles open.	Receipts.			Working Expenses.			Net Receipts.
		Passengers.	Goods, &c.	Total.	Working.	Maintenance.	Total.	
South-west Line:		£	£	£	£	£	£	£
Half-year ending 31st Dec. 1862	406	43,146	41,183	84,329	36,495	23,720	60,215	24,114
„ „ 30th June 1863	„	48,235	52,503	100,738	40,080	36,279	76,359	24,379
Year ending 30th June 1863	Mean. 406	91,381	93,686	185,067	76,575	59,999	136,574	48,493
„ „ 1862	282	60,924	62,851	123,775	57,104	34,491	91,595	32,180
„ „ 1861	221	45,755	37,923	83,678	43,190	19,742	63,932	19,746
„ „ 1860	137	37,059	30,376	67,435	29,342	12,191	41,533	25,905
„ „ 1859	96	25,303	20,240	45,543	17,959	12,197	30,156	15,387
North-west Line:								
Half-year ending 31st Dec. 1862	35	1,970	1,454	3,424	—	—	2,088	1,336
„ „ 30th June 1863	41	2,942	2,687	5,629	2,980	854	3,834	2,795

Statement No. II.

Showing the Proportion of Working Expenses to Gross Receipts, and the Proportion of Receipts from Passengers and Goods.

Period.	Proportion per Cent. of Working Expenses to Gross Receipts.	Proportion of Receipts from	
		Passengers.	Goods.
South-west Line :			
Year ending 30th June 1859	66·1	55·5	44·5
„ „ 1860	61·2	54·9	45·1
„ „ 1861	78·0	54·6	45·4
„ „ 1862	74·7	49·2	50·8
„ „ 1863	73·6	49·3	50·7

Statement No. III.

Showing the Number of Passengers conveyed during the Years ending 30th June 1859, 1860, 1861, 1862, and 1863.

Period.	Number of Miles open.	Number of Passengers.			Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	
South-west Line :	Mean.				
Year ending 30th June 1859	96	929	11,598	276,422	288,949
„ „ 1860	137	2,346	10,346	795,289	807,981
„ „ 1861	221	2,774	10,428	969,287	982,489
„ „ 1862	282	8,626	47,695	1,025,218	1,081,539
„ „ 1863	406	9,788	71,966	974,558	1,056,312
North-west Line :	Average.				
Year ending 30th June 1863	37	530	3,050	132,801	136,381

Statement No. IV.

Showing the Number of Passengers conveyed per Mile, and the Number per Mile in each Class.

Period.	Number of Passengers conveyed per Mile.	Number conveyed per Mile.		
		1st Class.	2d Class.	3d Class.
Year ending 30th June 1859	3,069·7	9	180	2,879
„ „ 1860	6,535·2	17	77	5,805
„ „ 1861	4,445·6	13	46	4,385
„ „ 1862	3,835·	30	169	3,635
„ „ 1863	2,601·7	24	177	2,400

THE BOMBAY, BARODA, AND CENTRAL INDIA RAILWAY.

48. The whole of this line from Grant Road, Bombay, to Ahmedabad is on the eve of being opened, the last section, from Bulsar to Bombay, having already been traversed by the Governor of Bombay and the chief authorities. Some important works still remain to be finished, including the terminal station at Bombay and the ultimate extension of the railway to its destined terminus at Colaba. Whether this extension shall be taken hereafter over land to be reclaimed from Back Bay, or whether it shall at once be taken through the town, is a question which is now being considered Colonel Kennedy, the Company's Consulting Engineer, has

passed the greater part of the year in superintending the works in Bombay, and, by his energy and zeal, has assisted to promote their completion.

49. The following Traffic Returns exhibit satisfactory results, but, considering they relate to the upper portion of the line only, and to a period when it was separated from Bombay by a distance which rendered it useless to that city, they afford very little criterion of what the future traffic will be :—

Statement No. I.

Showing the Amount of Receipts from Passengers and Goods, and the Expenses of Working, for the Years ending 30th June 1861, 1862, and 1863.

Period.	Number of Miles.	Receipts.			Expenses.			Net Receipts.
		Passengers.	Goods and Railway Materials.	Total.	Working.	Maintenance.	Total.	
	Average worked.	£	£	£	£	£	£	£
Half-year ending December 1862	153⅓	25,310	14,265	39,575	13,323	3,993	17,316	22,259
Half-year ending June 1863	183⅓	37,787	25,556	63,353	19,038	4,243	23,281	40,072
Year ending June 1863	166½	63,097	39,821	102,928	32,361	8,236	40,597	62,331
„ „ 1862	130	34,342	12,591	46,933	22,327	3,828	26,155	20,778
„ „ 1861	60	15,712	3,331	19,043	11,782		—	7,261

Statement No. II.

Showing the Proportion of Working Expenses to Gross Receipts, and the Proportion received from Passengers and Goods.

Period.	Proportion per cent. of Working Expenses to Gross Receipts.	Proportion of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1861	61·87	82·51	17·49
„ „ „ „ 1862	55·72	73·20	26·80
„ „ „ „ 1863	39·44	61·30	38·70

Statement No. III.

Showing Number of Passengers conveyed during the Years ending 30th June 1861, 1862, and 1863.

Period.	Average Number of Miles open.	Number of Passengers.				Total Number of Passengers.
		1st Class.	2d Class.	3d Class.	4th Class.	
Year ending 30th June 1861	60	1,206	5,211	212,089	117,087	335,593
„ „ „ „ 1862	130	2,063	10,980	838,285	—	851,328
„ „ „ „ 1863	168½	2,713	11,785	803,572	—	818,070

Statement No. IV.

Showing the Number of Passengers per Mile open and the Number per Mile in each Class.

Period.	Number of Passengers conveyed per Mile.	Number conveyed per Mile.		
		1st Class.	2d Class.	3d Class.
Year ending 30th June 1861	5,593	20	87	5,486
„ „ „ „ 1862	6,548	16	84	6,447
„ „ „ „ 1863	4,963	16	70	4,816

THE SCINDE RAILWAY.

50. During the past year there has been a gradual improvement in the traffic of this line, both of passengers and goods, the gross receipts from which have increased from 62,000*l.* in 1862 to 100,000*l.* The expenses for working and maintenance still bear a high proportion to the receipts. The latter have been large, in consequence of the necessity for altering portions of the line which were found subject to inundations, and also for replacing the original sleepers, which, being of inferior wood, soon decayed. The ordinary expenses for working the railway will become less in proportion to the receipts as the traffic increases. The establishments which it is now necessary to maintain are equal to conduct a larger amount of business. The expenditure on the capital account has been about 200,000*l.*, having been applied to the completion of stations, &c.

51. The following Statement shows the amount of receipts and working expenses for the years ending 30th June 1862 and 1863 :—

Period.	Number of Miles open.	Receipts from Conveyance of		Total Receipts.	Working Expenses.	Net Receipts.
		Passengers.	Merchandise, &c.		Working and Maintenance.	
		£	£	£	£	£
Year ending 30th June 1862 -	114	10,045	30,028	40,073	34,631	5,442
„ „ „ „ 1863 -	114	13,196	76,717	89,913	70,919	18,994

The proportion of working expenses to the gross receipts, and the proportion of receipts from passengers and goods will be seen by the following Table :—

Period.	Per-centage of Working Expenses to Gross Receipts.	Proportion per cent. of Receipts from	
		Passengers.	Goods.
Year ending 30th June 1862 -	86·41	25·06	74·96
„ „ „ „ 1863 -	78·86	14·67	85·33

Statement showing the number of passengers conveyed :—

Period.	Number of Miles open.	1st Class.	2d Class.	3d Class.	Total Number of Passengers conveyed.
Year ending 30th June 1862 -	114	491	5,140	84,494	90,125
„ „ „ „ 1863 -	114	457	7,143	117,489	125,089

THE INDUS FLOTILLA.

52. The flotilla has kept up a bi-monthly communication between Kotree and Moultan, and has performed voyages between Kotree and Sukkur by means of the tug steamers. A powerful tug steamer is now being built for the purpose of assisting vessels during the rainy season through the Sukkur Pass, when the current is very rapid.

53. The boats built by Messrs. Richardson & Duck for the Company are still unserviceable, and are reported as never likely to be of much use on the Indus. The contract between the Company and this firm has been a source of great annoyance and disappointment, and a reference has been made to arbitrators with

the view of coming to some settlement in regard to it. Without prejudice to the result of this proceeding, the boats, six in number, have been taken over by the Company, and will be made such use of as is found to be possible.

54. The gross earnings during the year have been 63,953*l.* 14*s.* 6*d.*, and the working expenses are stated to have been 48,919*l.* 1*s.* 1*d.*, but as this does not include the contributions to the depreciation and insurance funds provided for under the contract, the net receipts would be considerably reduced. There is not at present, therefore, much ground for congratulation on the results of the traffic, especially when the large unprofitable expenditure on the boats of Messrs. Richardson & Duck are taken into account. The possibility that the Flotilla may ultimately have to be superseded by a railway has been acknowledged by the Government, who have sanctioned the prosecution of surveys on both sides of the River Indus, for the purpose of ascertaining the best route for a line from Kotree to Moultan. These surveys are now being conducted by Mr. Brunton, the Chief Engineer of the Scinde Railway, who proceeded with a staff to India in the autumn of last year.

THE PUNJAB RAILWAY.

55. The works on this line have, during the past year, been pushed on vigorously, and it is confidently expected that the whole line will be finished in the course of the present year, being probably opened by the Governor General, Sir John Lawrence, who, when Lieutenant Governor of the Punjab, turned the first sod in February 1859. On the Moultan end of the line 11½ miles were opened in May. There has been an expenditure of about 421,000*l.* on capital account.

56. The traffic between Lahore and Umritsir, which section has now been opened about two years, is not at present so large or so lucrative as was expected. It is too short to be made use of for the through traffic. That between Moultan and Sher Shah is necessarily very limited, but the line has rendered great service in the work of construction by conveying materials to the unopened portion.

57. The following Table furnishes particulars in regard to the traffic for the year ending 30th June 1863:—

Period.	Length open.	Receipts.		Total.	Expenses.	Net Receipts.	Number of Passengers.			
		Passengers.	Goods.				1st Class.	2d Class.	3d Class and Military.	Total.
		£	£	£	£	£				
Half-year ending 31st December 1862 -	43	5,350	110	5,460	3,940	1,520	912	1,144	160,671	162,727
Half-year ending 30th June 1863 - -	43	6,843	412	7,255	4,403*	2,852	1,374	2,863	189,862	194,099
Half-year ending 30th December 1863 -	43	6,097	465	6,562	5,865†	697	1,747	4,054	175,710	181,511

* Including two months of Maintenance. † Including Maintenance.

58. In addition to the above, 6,865 passengers and 4,198 tons of merchandise were carried on the Sher Shah branch.

THE DELHI RAILWAY.

59. The route for this line has now been definitely settled, but its construction has not yet been commenced in good earnest. Pending the decision in regard to the propriety of accepting the tender which has been received for the construction of the section of the line between Umritsir and Umballah, arrangements have been made in India for the earthwork and the supply of bricks and other material for a portion of the line, and it is expected that the Company will very shortly be in a position to take steps for providing the iron-work for the superstructure of the several large bridges which will have to be constructed over the rivers which occur on the line. Its length will now be 320 instead of 300 miles. Starting from Umritsir, it will go across the Beas river, at Wuzeer Ghât, to Jullundur; from thence, running between Kurlarpoor (3 miles off) and Kussoorkulee (4 miles), it will cross

the Sutlej at Philloor, and go on to Umballa by Loodhiana and Sirhind; it will then cross the Jumna at Saharunpoor, pass over the Gaggur and Markunda rivers and proceed to Mozuffernugger, Meerut and Ghazeeabad, where it will join the East Indian line and with it enter Delhi by a branch which, with the bridge over the Jumna, is being constructed by the latter Company.

60. A large amount of capital, viz., 1,850,000*l.*, was last year raised, in the hope that operations would be commenced at an early period, but only about 50,000*l.* has been expended. The execution of the bridges on the line will occupy several years, so that an early and vigorous prosecution of these works is particularly desirable.

THE EASTERN BENGAL RAILWAY.

61. This line has now been opened for above a year, and the results of the traffic cannot but be regarded as very satisfactory. The gross receipts have increased from 33,748*l.* in the first half-year, to 42,603*l.* in the second, and the net profits from 17,421*l.* to 21,954*l.* in the same periods. A short branch, 2½ miles in length, from near Kooshtee to the River Gorai, where there is a convenient place for vessels and boats to stop and unload, has just been constructed.

Statement No. I.

Showing the Amount of Receipts from Passengers, Goods, &c., and of Expenses during the Half-year ending 30th June and 30th December 1863. The whole (110 miles) open.

Period.	Receipts from				Expenses.			Net Receipts.
	Passengers.	Goods.	Miscellaneous.	Total.	Working.	Maintenance.	Total.	
	£	£	£	£	£	£	£	£
30th June 1863 -	24,041	8,802	905	33,748	16,327	—	16,327	17,421
31st December 1863 -	26,887	13,758	1,958	42,603	18,340	2,309	20,649	21,954

Statement No. II.

Showing Proportion of Expenses to Receipts, and of Receipts from Passengers and Goods.

Period.	Per Centage of Working Expenses to Gross Receipts.	Proportion per Cent. of Receipts from		
		Passengers.	Goods.	Miscellaneous.
Half-year ending 30th June 1863	48·38	71·24	26·08	2·68
„ „ 31st Dec. 1863	48·47	63·11	32·29	4·6

Statement No. III.

Showing the Number of Passengers conveyed.

Period.	Miles open.	Number of Passengers conveyed.			
		1st Class.	2d Class.	3d Class.	Total.
	Average.				
29th September to 31st Dec. 1862	77¾	5,398½	6,170	107,572	119,140½
Half-year ending 30th June 1863	110	15,362½	14,616	392,186	422,164½
„ „ 31st Dec. 1863	110	20,054	20,692½	474,244	514,990½

Statement No. IV.

Showing the Number of Passengers conveyed per Mile, and the Number per Mile in each Class.

Period.	Total Number of Passengers conveyed per Mile.	Total conveyed per Mile.		
		1st Class.	2d Class.	3d Class.
29th September to 31st December 1862	1,532·3	69·4	79·3	1,383·6
Half-year to 30th June 1863 - -	3,837·9	139·7	132·9	3,565·3
„ 31st December 1863 - -	4,681·7	182·3	188·1	4,311·3

THE GREAT SOUTHERN.

62. This line has now been opened for upwards of a year and a half. An extension has, during the past year, been sanctioned from Trichinopoly to Errode, a distance of 82½ miles, and construction operations have commenced.

63. Compared with last year, there has been a small increase in the receipts both from passengers and goods, but the traffic is still insignificant. The absence of roads to some of the stations, and the want of accommodation in Negapatam Harbour, help to check the development of the traffic. Both these impediments are about to be removed. The following Tables will furnish the details:—

Table I.

Showing the Amount of Receipts from Passengers and Goods, and of the Working Expenses, &c.

Period.	Miles open.	Receipts from			Expenses of Working and Maintenance.	Net Receipts.	Proportion per Cent. of Expenses to Receipts.
		Passengers.	Goods, &c.	Total.			
		£	£	£	£	£	
Half-year ending 31st December 1862 - -	79	7,487	4,667	12,154	5,304*	6,850	43·60
Half-year ending 30th June 1863 - -	79	8,043	6,250	14,293	6,947*	7,346	48·60
Half-year ending 31st December 1863 - -	79	8,413	6,078	14,491	6,293†	8,198	43·11

* No Maintenance charge included. † Of this 410*l.* was for Maintenance.

Table II.

Statement showing the Number of Passengers conveyed.

Period.	Number of Miles open.	Number of Passengers.			
		1st Class.	2d Class.	3d Class.	Total.
Half-year ending 31st December 1862	79	708	3,463	159,582	163,753
„ „ 30th June 1863 -	79	785	6,337	157,690	164,812
„ „ 31st December 1863	79	752	2,196	151,192	154,140

CALCUTTA AND SOUTH-EASTERN.

64. The circumstances of this line are somewhat exceptional. Designed with the chief object of making the Mutlah estuary serviceable to Calcutta as a port, the railway has been made before the conveniences of a port and the accommodation requisite for a commercial place of business are provided. The roads to several of the stations are also still very unfinished. It is not, therefore, surprising that, while in this incomplete state, the traffic on the railway is small and unremunerative. When the jetty now in course of construction at the Mutlah terminus is finished, and when proper arrangements are made for loading and unloading vessels and storing their cargoes, a gradually increasing proportion of the trade into Calcutta may be expected to go by the railway. Even with the imperfect accommodation now afforded, several vessels have taken their cargoes to the Mutlah.

65. The number of passengers conveyed during the year ending 30th June 1863 was 175,981, consisting of 1,539 first class, 5,964 second class, and 168,478 third class.

MISCELLANEOUS.

Audit.

66. Amongst the various questions which have been discussed during the past year, that of establishing an efficient system of audit has engaged much attention, especially in the case of the East Indian Railway Company; and a plan is now being carried out, at the suggestion of the Directors of that Company, which will ensure a speedy and concurrent examination of accounts, both by the railway and Government auditors. The importance to a large undertaking like that of the East Indian Railway of a good system of audit can hardly be overrated, as by no other means can so efficient a check be provided against negligence, extravagance, and irregularities of any kind. It is impossible to pass from this subject without alluding to the successful exertions of Mr. G. N. Taylor, of the Madras Civil Service, who was appointed by the Government of India to investigate the whole subject of railway accounts and management. In the process of his inquiries, many valuable and important suggestions have been made by him, which have led to very useful results.

Charges to Capital and Revenue.

67. Another interesting question, which has been satisfactorily determined during the past year, is that relating to the regulation of charges to capital and revenue, respectively, after a line has been once opened for traffic. The 12th clause of the contract between the Government and the Railway Companies provides for the charge to capital of the cost of such "additions, alterations, and improvements" as, having been made with the approval of Government, "are properly applicable to capital." It was desirable to define, as clearly as possible, what are so *properly* chargeable; and, after fully discussing and considering the matter, and ascertaining the practice which prevailed on some of the best managed lines in this country, rules, with examples, for the guidance of the officers of the Government and of the Railway Companies, have been embodied in a Despatch to the Government of India, copy of which will be found in the Appendix.

Fire Insurance.

68. I may also mention that most of the Companies (and I have no doubt that all will do the same) have established a fund to meet losses from fire, by setting apart half-yearly a certain per-centage of the gross receipts. By thus spreading the amount of any serious loss over several years, instead of allowing it to fall upon one year's revenue, a more just and equitable distribution of such loss is secured.

SUMMARY.

69. To sum up the foregoing statements,—two thousand six hundred and eighty-seven (2,687) miles are now open, of which 233 were completed during the past year.

70. The whole amount of capital that has been raised and expended is 54,285,088*l.* and 51,144,722*l.* respectively, of which 6,066,966*l.* and 4,775,861*l.* was raised and expended during the year 1863–64.

71. The number of proprietors of Indian railway securities has increased, during the year, from 31,420 to 33,358, of which only 395 are natives of India.

72. The materials which have been sent out from this country for the railways since their commencement amount to 15,128,856*l.* in value, and to 2,764,781 tons in weight, and 357 ships were employed to convey them to India. Last year 166,840 tons of materials, of the value of 1,285,464*l.*, were despatched in 279 ships.

73. The total gross earnings from the 2,248 miles over which traffic was, on the average for the year, carried were about 1,720,000*l.*, and the net receipts were about 780,000*l.*

74. The sums which have been advanced by the Government during the last thirteen years for the guaranteed interest on the capital amounted, on the 31st December 1863, to 10,592,795*l.*, of which 2,323,605*l.* was paid last year. Of the former sum about 2,400,000*l.* has been paid back by the Railway Companies from their net earnings, half of this amount having been realized during the last two years, and nearly a third in the last year alone.

75. The number of passengers conveyed during the past year was 9,242,540, consisting of, first class, 97,674, second class, 386,404, third class, 8,758,462, being 2,758,102 more than the previous year.

I have the honour to be,

Sir,

Your most obedient Servant,

JULAND DANVERS.

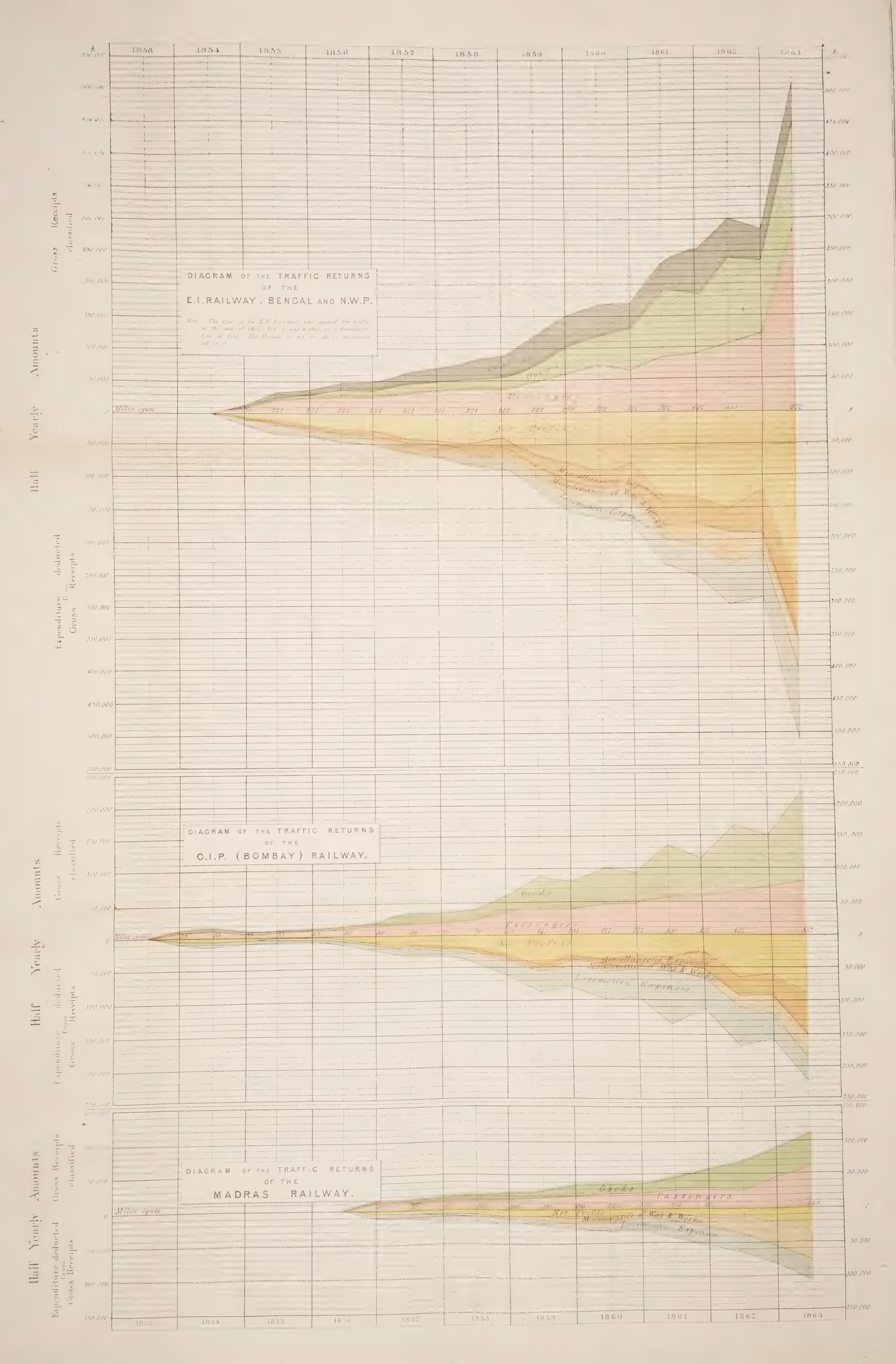
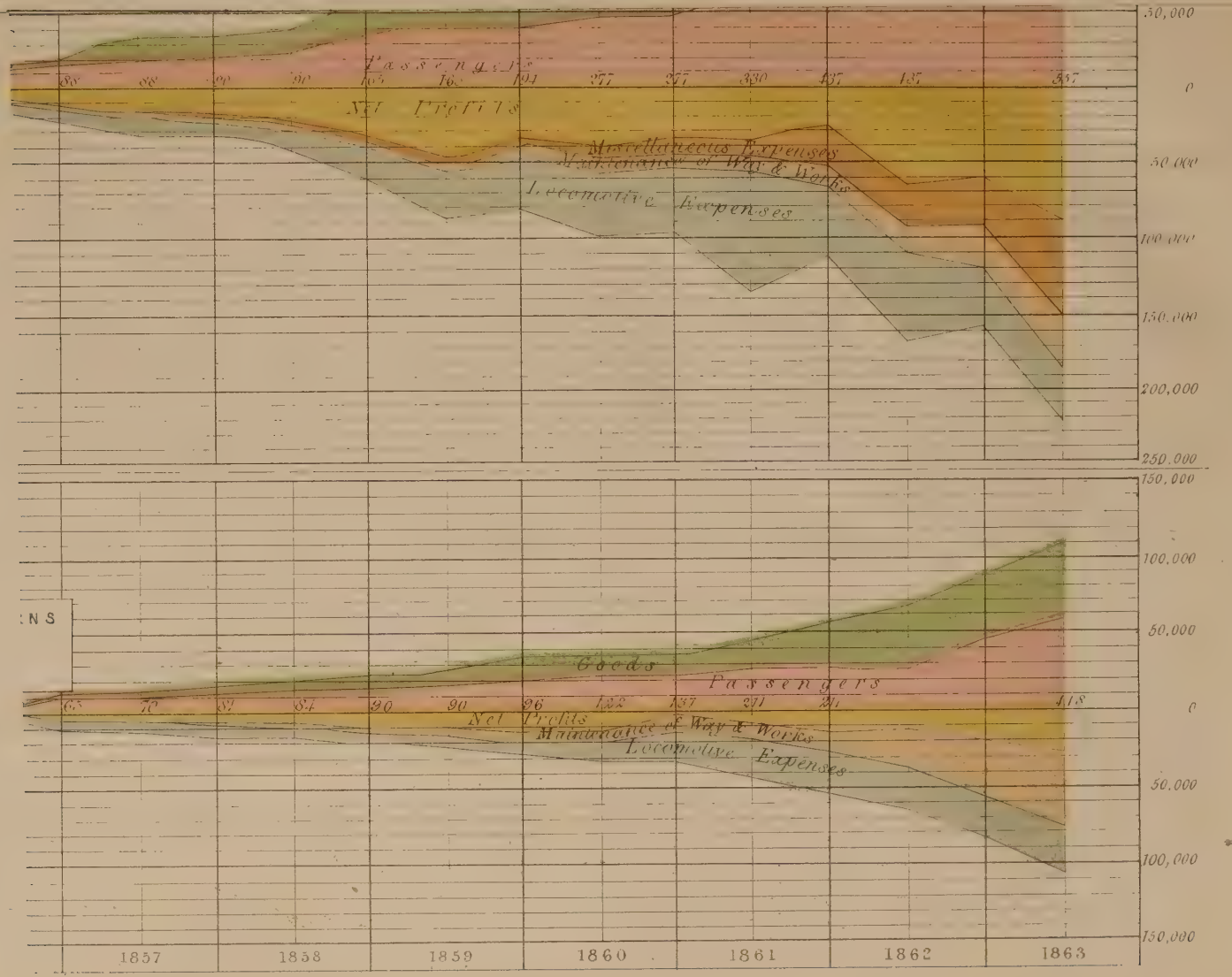


DIAGRAM OF THE TRAFFIC RETURNS OF THE E.I. RAILWAY, BENGAL AND N.W.P.
Note. The line in the N.W. Province was opened for traffic in the end of 1857, but it was worked as a Government Line at first. The Receipts to not enter in the returns till 1859.
Half Yearly Amounts
Gross Receipts classified
Expenditure deducted from Gross Receipts
1858
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
Miles open
Goods
Passengers
Net Profits
Miscellaneous Expenses
Maintenance of Way & Works
Locomotive Expenses
DIAGRAM OF THE TRAFFIC RETURNS OF THE C.I.P. (BOMBAY) RAILWAY.
DIAGRAM OF THE TRAFFIC RETURNS OF THE MADRAS RAILWAY.


Passengers
Net Profits
Miscellaneous Expenses
Maintenance of Way & Works
Locomotive Expenses
50,000
0
50,000
100,000
150,000
200,000
250,000
Goods
Passengers
Net Profits
Maintenance of Way & Works
Locomotive Expenses
150,000
100,000
50,000
0
50,000
100,000
150,000
1857
1858
1859
1860
1861
1862
1863

APPENDIX.

Copy of a Despatch from the Secretary of State for India in Council to the Governor General of India in Council.

To His Excellency the Right Honourable the Governor General of India in Council.

India Office,
London, 9th March 1864.

Sir,

I have received and considered in Council the Despatch from your Government, No, 45, dated the 7th July 1863, relating to the question of placing to Capital or Revenue Account the expense incurred on the East Indian Railway in two particular instances, which, as you justly observe, are not very important in themselves, but the decision of which involves "an important principle in respect to future authorization of expenditure on construction account."

2. I fully admit the importance of the question, which is, in fact, which is the proper interpretation of the clause in the Contracts with Railway Companies, which provides that, "upon "any additions, alterations, or improvements, such as shall be properly chargeable to the "Capital Account, being thereafter made with the sanction and approval of the East India "Company, * * * * the cost necessarily incurred * * * * shall be added to the "said Capital Account, and the said Capital Account shall be from time to time made up and "stated afresh, as occasion shall require, and shall be ascertained and certified accordingly."

3. I have hitherto deferred addressing you in reply, in order that I might obtain information as to what is the practice on the best managed lines, and what are the views entertained on the subject by the most eminent railway authorities in this country. The practice and views thus ascertained are obviously of the greatest value in determining the interpretation to be placed upon the above cited clause.

4. With this information before me, and after full consideration, I have come to the conclusion that the cost of erecting the furnaces for engine-lighting purposes may properly be treated as additional machinery or plant requisite for the efficient working of the line, and, as such, may be charged to capital in the same manner as the original plant. These furnaces having been erected, due provision for the purpose they were intended to serve will have been made, and if at any future time any different contrivance should be substituted for the furnaces, the expense of the substitution should be charged to revenue, for capital must not be charged twice over.

5. The second case is that of conversion of a blind siding at an existing station, into a *through siding*, connected at both ends with the railway, for the permanent convenience and even safety of the traffic. In this case also, I am of opinion that the conversion, being not merely a substitution of one species of structure for another, but a permanent enlargement and improvement in the character and object of the previous imperfect structure, the cost should be provided from capital.

6. The foregoing observations will, I trust, sufficiently explain my views as to the particular cases to which your Government has called my attention.

7. I think it advisable, however, to take this opportunity of laying down some general rules which may be of assistance in enabling you to decide questions of charging expenditure to capital or to revenue.

8. There can be no doubt that the expense of an additional length of railway, of the doubling of an existing line, of the original construction of any work, including that of those intended to be only temporary, as well as of all additions to existing works, ought to be charged to Capital Account.

9. When new lines form a junction with an existing railway, the expense of the junction and all its concomitant appliances of station, sidings, signals, &c., is properly chargeable to Capital Account; and the cost should be divided, in such proportion as may be fair, between the two Companies for whose mutual and joint benefit the junction is made.

10. The cost of additional stations and of any important building, not previously contemplated, which is added to an existing station, should be charged to Capital Account.

11. The cost of maintaining, in a proper condition, the works when completed must be charged to the Revenue Account; but if anyextraordinary casualty should occur, such as the

destruction of a bridge by flood, the case must be regarded as exceptional, and the cost of construction or replacement must be charged to capital or revenue, or divided between them, as may be deemed proper, according to the circumstances of the case.

12. In relaying rails, if the original rails have proved too light, and additional strength in weight of iron or steel be required, the Capital Account should bear the difference between the cost of the new and improved rails and that of replacing the old rails by rails of similar character, revenue being chargeable for relaying and all other expenses. The same principle should be applied to replacing by iron sleepers those of wood originally laid down.

13. In the locomotive stock, the capital ought to bear the first expense of any addition which may be made to the existing stock, and of any important improvement or alteration which may be made in the same, as well as of all machinery which is absolutely new, and not merely in replacement of old; but all repairs and less important alterations of the existing stock of engines, carriages, or waggons already paid for, and handed over for working purposes, should be charged to revenue. The rolling stock and plant, after being once paid for from the capital, must be kept up by revenue to its full complement.

14. In no case should the cost of mere appurtenances of stock, after the opening of a line, or of a change, such as the substitution of one mode of lighting for another, whether in engines, carriages, stations, or signal lamps, the cost of which has been already paid for out of capital, be admitted as capital expenditure. These properly belong to the Traffic Revenue Account.

15. These rules have been drawn up in communication with the Boards of the several Indian Railway Companies, and have received their acquiescence generally; and, with such plain directions for their mutual guidance, the Government Consulting Engineers and the Agents of the Companies can seldom have any real occasion for difference on the points to which the rules relate.

16. It is obvious that the application of the principle on which the above rules are based involves the necessity of making, from time to time, additions to the capital of a Railway Company. I am aware that an order issued in reference to this subject has elicited from the Government of Bombay representations, which are at present before you, but into the merits of which I defer entering for the present, and until I shall be in possession of your reply to them. In order, however, to remove any danger of misapprehension in the use of the terms "closing the Capital Account," it seems advisable here to point out, that finally to close a railway Capital Account, either upon the first opening of the line, or indeed at any given period, may be regarded as practically impossible, inasmuch as to do so would imply that the utmost requirements for its future working or construction had been provided for at the period of closing. This never can really be the case, as it is invariably found that the traffic upon a railway steadily and progressively increases long after its opening, and, therefore, finally to close the Capital Accounts of the Indian railways, and prevent the application to them of any additional capital, must be fraught with injury to all parties, whether guarantors or guaranteed.

17. For these reasons, the final closing of the Capital Accounts is not contemplated in the contracts between the East India Company and the different Railway Companies, and provision is made for keeping them open, so as to allow of future extension of the capital, in order to meet certain expenses which may be required under the heads of additions, alterations, and improvements. It is at the same time provided that the Capital Account should from time to time be made up, in order to carry out certain provisions of the contracts. This is quite necessary, and will assist in carrying out that control over expenditure on account of capital which is essential to the fair and proper adjustment of the Capital and Revenue Accounts, and to the permanent welfare of any Company.

18. I have only to add, that the above directions are not to interfere with the arrangement which has been made with each Company for allowing the cost of maintenance for one or two years after the opening of the railroad, as the case may be, to be charged to capital.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

(Signed) CHARLES WOOD.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty
For Her Majesty's Stationery Office.

RETURN to an Address of the Honourable the House of Commons, dated 25th July 1864;—*for*,

A "COPY of the STATEMENT of the COMMANDER IN CHIEF, published at Head Quarters, *Simla*, on the 6th day of April 1864, of the Results of the System of REGIMENTAL WORKSHOPS, established by G.O.C.C., dated the 10th day of September 1861."

India Office, 28 July 1864.

T. T. PEARS, Major General, Military Secretary.

GENERAL ORDER by His Excellency the COMMANDER-IN-CHIEF.

Head Quarters, Simla, 6 April 1864.

THE Commander in Chief has great pleasure in publishing to the Army the very favourable results of the system of workshops established by G.O.C.C., dated the 10th September 1861.

It will be seen that the system has been established in five regiments of cavalry and thirty-two battalions of infantry.

So well has the system been developed by the exertions of the commanding officers, officers commanding troops and companies, and officers in charge of the workshops, aided by the good will of the men, that in the cavalry, in six months, the workshops of the

	Rs.	*a.*	*p.*
7th Hussars, realized gains amounting to	1,212	–	–
7th Dragoon Guards (besides keeping a stock in hand)	674	5	6
While in the Infantry, in the same period, the workshops of the 2d Battalion Rifle Brigade realized no less a sum than	5,708	10	3
Besides stock on hand	8,790	–	–
42d Royal Highlanders, realized	4,648	8	5
Value of stock on hand	2,854	13	6
1st Battalion 7th Fusiliers, realized	4,512	14	11
Value of stock on hand	859	9	7
79th Cameron Highlanders, realized	3,717	1	4
48th Foot, realized	3,578	6	10
Value of stock on hand	670	5	2
1st Battalion 23d Royal Welsh Fusiliers, realized	3,409	2	6
Value of stock on hand	410	2	7
38th Regiment, realized	3,091	14	5
93d Sutherland Highlanders, realized	2,518	8	6
101st Royal Bengal Fusiliers, realized	2,325	4	10
Value of stock on hand	195	4	–
77th Regiment, realized	1,986	8	9
Value of stock on hand	365	15	4
90th Light Infantry, realized	1,922	10	11
Value of stock on hand	167	2	7
35th Regiment, realized	1,708	–	–
Value of stock on hand	332	12	4
80th Regiment, realized	1,678	9	9
Value of stock on hand	212	3	–

THE following TABULAR STATEMENT gives the Result of the System throughout the Regiments in Bengal:

BALANCE STATEMENT of ACCOUNTS of REGIMENTAL WORKSHOPS of the Undermentioned Corps of Her Majesty's British Service, serving in the Bengal Presidency, for the Half Year ending 30th June 1863; dated Adjutant General's Office, Head Quarters, Simla, 30th September 1863.

CORPS.	DR.							CR.					REMARKS.
	Balance Debtor at the Close of Last Half Year.	Stock. Value on Hands at the Close of Last Half Year.	Stock. Purchased during the Current Half Year.	Wages of Workmen, &c.	Balance Creditor on the 30th June 1863.	TOTAL.	Balance Creditor on the 31st December 1862.	Amount Realised for Work done during Current Half Year.	Value of Stock, &c. on Hands on the 30th June 1863.	Balance Debtor.	TOTAL.	
	Rs. a. p.	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	
2d Dragoon Guards	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No accounts kept.
7th „ „	- - -	- - -	464 4 -	276 - 6	74 1 -	814 5 6	- - -	674 5 6	140 - -	- -	814 5 6	
7th Hussars	- - -	- - -	573 9 -	132 4 -	556 3 -	1,262 - -	- - -	1,212 - -	50 - -	- -	1,262 - -	
8th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No accounts kept.
19th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No workshops.
20th „	- - -	- - -	206 9 6	90 - -	140 - -	436 9 6	- - -	400 - -	36 9 6	- -	436 9 6	
21st „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	Ditto.
7th Foot	- - -	- - -	3,301 15 2	1,318 1 11	941 1 11	5,561 3 -	188 10 6	4,512 14 11	859 9 7	- -	5,561 3 -	
13th „	147 11 10	- - -	908 5 9	353 11 6	31 13 11	1,441 11 -	- - -	1,111 2 3	330 8 9	- -	1,441 11 -	
20th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	Ditto.
23d „	- - -	- - -	2,326 3 2	1,574 3 3	65 10 8	3,966 1 1	146 7 7	3,409 2 6	410 7 -	- -	3,966 1 1	
27th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	Ditto.
34th „	- - -	- - -	268 8 1	552 6 3	195 6 6	1,016 4 10	- - -	990 4 10	26 - -	- -	1,016 4 10	
35th „	- - -	- - -	1,144 15 6	666 15 5	228 13 5	2,040 12 4	- - -	1,708 - -	332 12 4	- -	2,040 12 4	
38th „	- - -	- - -	2,353 14 7	933 12 6	- - -	3,287 11 1	195 12 8	3,091 14 5	- - -	- -	3,287 11 1	
42d „	- - -	- - -	3,441 5 8	3,486 1 3	1,047 10 5	7,975 1 4	471 11 5	4,648 8 5	2,854 13 6	- -	7,975 1 4	
43d „	- - -	30 6 6	388 7 3	376 6 10	137 3 8	932 8 3	198 11 9	702 11 3	31 1 3	- -	932 8 3	
46th „	- - -	- - -	416 13 3	404 9 -	52 5 5	873 11 8	13 8 5	840 10 3	19 9 -	- -	873 11 8	
48th „	148 9 8	- - -	2,628 2 11	950 9 4	521 6 1	4,248 12 -	- - -	3,578 6 10	670 5 2	- -	4,248 12 -	
51st „	- - -	- - -	207 8 -	145 9 -	35 11 -	388 12 -	38 4 -	350 8 -	- - -	- -	388 12 -	
52d „	- - -	- - -	174 1 2	297 7 2	488 1 8	959 10 -	157 14 2	801 11 10	- - -	- -	959 10 -	
54th „	- - -	- - -	328 8 -	174 14 -	133 8 -	636 14 -	105 2 -	531 12 -	- - -	- -	636 14 -	
71st „	- - -	- - -	500 12 9	384 - 9	125 1 3	1,009 14 9	- - -	999 14 9	10 - -	- -	1,009 14 9	
77th „	- - -	204 7 10	1,094 14 6	763 12 3	477 4 4	2,540 6 11	187 14 10	1,986 8 9	365 15 4	- -	2,540 6 11	
79th „	- - -	- - -	1,198 2 1	2,352 11 6	223 13 9	3,774 11 4	- - -	3,717 1 4	57 10 -	- -	3,774 11 4	
80th „	18 6 6	- - -	1,087 11 9	643 8 -	141 2 6	1,890 12 9	- - -	1,678 9 9	212 3 -	- -	1,890 12 9	
81st „	- - -	- - -	87 11 3	87 2 6	45 3 2	220 - 11	35 8 11	180 8 -	4 - -	- -	220 - 11	
82d „	- - -	- - -	826 1 -	561 5 7	40 - 11	1,427 7 6	134 8 9	1,215 10 9	77 4 -	- -	1,427 7 6	
88th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No accounts kept.
89th „	- - -	- - -	759 5 -	464 3 6	87 15 10	1,311 8 4	38 12 -	1,140 12 4	132 - -	- -	1,311 8 4	
90th „	244 7 9	- - -	588 9 10	829 - 10	427 11 1	2,089 13 6	- - -	1,922 10 11	167 2 7	- -	2,089 13 6	
91st „	- - -	- - -	580 4 -	324 - -	179 2 -	1,083 6 -	- - -	1,000 6 -	83 - -	- -	1,083 6 -	
93d „	- - -	- - -	2,518 8 6	- - -	- - -	2,518 8 6	- - -	2,518 8 6	- - -	- -	2,518 8 6	
94th „	- - -	- - -	8 3 6	61 8 -	25 6 6	95 2 -	- - -	22 10 -	72 8 -	- -	95 2 -	
97th „	- - -	- - -	206 - 5	375 4 1	521 7 1	1,102 11 7	389 4 2	676 11 11	36 11 6	- -	1,102 11 7	
98th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No accounts kept.
101st „	- - -	- - -	1,263 10 3	628 11 1	628 3 6	2,520 8 10	- - -	2,325 4 10	195 4 -	- -	2,520 8 10	
104th „	- - -	- - -	1,100 10 5	377 12 2	175 9 11	1,654 - 6	- - -	1,156 1 5	497 15 1	- -	1,654 - 6	
107th „	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- - -	- -	- - -	No accounts kept.
2d Battn. Rifle Brigade	- - -	- - -	5,539 - -	8,300 6 -	1,560 2 10	15,399 8 10	900 14 7	5,708 10 3	*8,790 - -	- -	15,399 8 10	* Value of tools included.
3d „ „ „	- - -	- - -	979 10 4	350 14 -	34 8 8	1,365 1 -	- - -	611 14 -	753 3 -	- -	1,365 1 -	
GRAND TOTAL - *Rs.*	559 3 9	234 14 4	37,472 6 7	28,237 4 2	9,341 14 -	75,845 10 10	3,203 1 9	55,426 - 6	17,216 8 7	- -	75,845 10 10	

However favourable the foregoing statement may be, it does not adequately represent the success of the workshops, because in many instances regiments have not been able to give a full development to the system, on account of a want of barrack accommodation, and in others on account of the unexpected movements of corps.

The foregoing abstract does not represent the total amount of the industrial system in regiments. It does not include the wholesome and useful occupation of gardening, which has been very successful in many regiments.

The Royal Artillery at Meean Meer, the 1st Battalion 13th Regiment, 3d Battalion Rifle Brigade (who were the first to bring the barren soil at Meean Meer into profitable cultivation), the 88th and 52d Regiments, the 1st Battalion 7th Fusiliers, and the 8th Hussars, have distinguished themselves by the superiority and neatness of their gardens, which were seen by the Commander in Chief himself, who has had much pleasure, on different occasions, in distributing the Government prizes for good gardening.

Several of the Military Hospitals have good and prettily laid out gardens. His Excellency particularly observed those at Peshawur, Sealkote, Meean Meer, and Allahabad.

The results arrived at prove that the opinion which his Excellency formed from the beginning is correct, that the soldiers take great pleasure in, and cultivate very reaildy, barrack gardens, that is, small gardens close and attached to their barracks; but they do not take to or cultivate large station gardens at a distance from their barracks.

His Excellency, therefore, requests commanding officers to do their utmost to promote the system of barrack gardens in their regiments, and to have the goodness to be careful in awarding the prizes, as soon as the soldiers cultivating gardens have entitled themselves to them, carrying out the directions given in G. O. C. C. of the 15th November 1862, as to the distribution of the prizes being made a soldiers' *fête*.

His Excellency has seen at his inspections that the industrial system for children has been carried out with very good effect in several regiments; and that the soldiers' children, the girls, have not only learned to make their own clothes and to sew neatly, but have also acquired a useful and practical education, under the superintendence, in many cases, of excellent schoolmistresses.

Generally speaking, throughout the army of Bengal, the system of manly exercises and out-of-door recreation, combined with gymnastics, has kept pace with the useful industrial occupation of the men.

In many regiments, such as the 1st Battalion 20th, 38th, 51st and 101st Regiments, and the 3d Battalion Rifle Brigade, each company has its cricket club, who play matches with other regiments in their stations, or among themselves; also quoits, bowls, &c. &c.

There is not a regiment that has not its reading and recreation room well furnished and fitted-up, and supplied with the means of lighting, &c. These are in the evenings crowded with men, who can there obtain wholesome refreshments, tea, coffee, cold meat, &c. Spirits are not allowed.

His Excellency observed with much pleasure the perfection to which the reading and recreation rooms, and every kind of amusement, had been brought in the 2d Battalion Rifle Brigade, the 77th Regiment, the 7th Dragoon Guards, the 42d, 48th, 35th, and 93d Regiments, and the Royal Artillery at Meerut and Lahore.

The Commander in Chief has observed, too, with much gratification, the increasing popularity and success of regimental libraries, as shown by the number of subscribers. In the 79th Regiment there are 705 subscribers; in the 3d Battalion Rifle Brigade, 671; 2d Battalion Rifle Brigade, 675; 81st Regiment, 640; 1st Battalion 7th Fusiliers, 607; 1st Battalion 23d Regiment, 580; 34th Regiment, 523; 35th Regiment, 506; 80th Regiment, 504; 104th Regiment, 495; 1st Battalion 20th Regiment, 475; 71st Regiment, 440; 88th Regiment, 424; 90th Regiment, 412.

Nor has this favourable state of things been confined to the Presidency of Bengal. His Excellency has received reports from the Commanders in Chief of both the Madras and Bombay Armies, showing that great progress has been made by the regiments quartered in both those Presidencies towards the establishment of workshops, reading-rooms, gymnasia, and other means of occupation and amusement.

The gratifying results arrived at in the 3d Dragoon Guards and 72d Highlanders in Bombay, and in the 68th Light Infantry in Madras, are entitled to the special approbation of his Excellency the Commander in Chief in India. The complete success of the system of workshops and recreation in the 72d (Duke of Albany's Own Highlanders) at Mhow, and the gardens of the 68th Light Infantry at Rangoon merit special mention and commendation.

To this system of useful employment and recreation may, in a great measure. be attributed a considerable decrease in the consumption of ardent spirits in this army, than which nothing can be more gratifying.

By order of His Excellency the Commander in Chief,
E. Haythorne, Colonel,
Adjutant General.

EAST INDIA
(REGIMENTAL WORKSHOPS).

COPY of the STATEMENT of the COMMANDER-IN-CHIEF published at Head Quarters, *Simla*, on the 6th April 1864, of the results of the System of REGIMENTAL WORKSHOPS, established by G.O.C.C., dated the 10th day of September 1861.

(*Sir Harry Verney.*)

Ordered, by The House of Commons, *to be Printed*,
28 *July* 1864.

559.

Under 1 *oz.*

EAST INDIA (SEDASHEGUR HARBOUR).

RETURN to an Address of the Honourable The House of Commons, dated 1 March 1864;—*for*,

"COPY of further CORRESPONDENCE relative to the HARBOUR of SEDASHEGUR, and ROADS leading thereto."

India Office,
3 March 1864.

W. T. THORNTON, Secretary,
Public Works Department.

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed,*
4 *March* 1864.

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COPIES of CORRESPONDENCE, not hitherto published, relative to the HARBOUR of CARWAR (SEDASHEGUR), and ROADS leading thereto.

— No. 1. —

PUBLIC WORKS DESPATCH from the Government of *Bombay* to the Secretary of State for *India*.

7 May (No. 21) 1863.

WE have the honour, with reference to our Despatch No. 17, dated 22d ultimo, to forward for your information returns of traffic which passed along the roads in North Canara during the month of February 1863.

We have, &c.

(signed) *W. E. Frere.*
J. D. Inverarity.

Enclosure in No. 1.

UP TRAFFIC RETURN for February 1863.

	Carts.	Bullocks.	Carts from Other Places.	Bullocks from Other Places.	Empty Carts.	Empty Bullocks.	REMARKS.
Beitkul and Ankola Road:							
Taken at Aorsa - -	3	–	–	–	6	–	
Devamony Ghaut Line:							
Taken at Kutte Gaul -	2,525	15	1,447	948	423	476	From Coompta, proceeding up country.
Kyga Ghaut Line:							
Taken at Mullapoor -	–	69	–	–	–	–	
Gairseppa Ghaut Line:							
Taken at Gairseppa - -	22	2,934	–	–	19	6,902	*N.B.*—No return from the Arbyle Line, owing to the traffic taker having deserted.
TOTAL - - -	2,550	3,018	1,447	948	448	7,378	

Sedashegur, 1 March 1863.

(signed) *J. R. Maunsell*, Captain R. E.,
Acting Ex. Engineer, N. Canara.

DOWN TRAFFIC RETURN for February 1863.

	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	REMARKS.
Beitkul and Ankola Road:							
Taken at Aorsa - -	–	–	28	1	12	–	
Devamony Ghaut Road:							
Taken at Kutteegaul -	3,260	127	1,318	543	102	185	To Coompta, from the Interior.
Kyga Ghaut Line:							
Taken at Mullapoor - -	–	–	–	118	–	–	
Gairseppa Ghaut Line:							
Taken at Gairseppa - -	–	–	44	9,665	–	154	*N.B.*—No return from the Arbyle Line, owing to the traffic taker having deserted.
TOTAL - - -	3,260	127	1,390	10,327	114	339	

Sedashegur, 1 March 1863.

(signed) *J. R. Maunsell*, Captain R. E.,
Acting Ex. Engineer, N. Canara.

— No. 2. —

PUBLIC WORKS DESPATCH from the Government of *Bombay* to the Secretary of State for *India*.

4 June (No. 26) 1863.

WE have the honour to forward herewith copy of a Letter from the Superintending Engineer, Southern Circle, No. 1300, dated 7th ultimo, reporting on the state of the approach roads to Sedashegur, and on the state of the works at that port, up to the 15th of April last.

We have, &c.
(signed) *W. E. Frere.*
J. D. Inverarity.

Enclosure in No. 2.

No. 1300 of 1863.—Public Works Department.

To the Secretary to Government Public Works Department, Bombay.

Office of Superintending Engineer, S.C.,
Belgaum, 7 May 1863.

Sir,

WITH reference to the concluding paragraph of my No. 751 of 30th March 1863, to the address of the chief engineer at the Presidency, I have now the honour to report on the state of the approach roads to Sedashegur and on the state of the works at the port itself up to the 15th of last month.

2. The Kyga Ghaut from the Dharwar district to the head of the navigation of the Kalla Nuddee at Mullapore.

Nothing of consequence has been effected on this line since the date of my last report; it is available for a limited amount of cart traffic, but has not been used at all for cotton.

3. No preparations have been completed by mercantile firms at Mullapore to receive cotton, and no houses of agency have yet been established there for business, so that, were the road even better than it is, it would be of little or no use.

4. Owing to the absence of traffic on this line, it would have been a very favourable season for pushing on the works, but unfortunately, as formerly reported, the prevailing epidemic fever in North Canara has completely paralysed all our efforts, and rendered work on any considerable scale impossible. The epidemic has not materially, if at all, abated.

5. The Arbylee Ghaut, *viâ* Ankola and Bhingy Bay, to Sedashegur. This road is not yet completed throughout, though carts can and have used it. The main impediments now existing are at a few incompleted bridges and drains, which will, however, soon be finished, and round which temporary roads have been made, and over the rice flats, where, owing to the impossibility of procuring carts in sufficient number, the moorum surface has not yet been completed.

6. All the rock blasting and heavy work, for a road 18 feet in width, has been got out of hand, and all embankments finished to full height.

7. Hydurghur Ghaut Branch of the above line,

Is in good order, and easily passable for carts. Along the portion incomplete at the date of the last report, for about two miles between Konay and the foot of the Ghaut, moorum has been spread to a width of 18 feet, and depth of one foot, over the worst parts, and this section has thus been rendered available for traffic.

8. By this branch, traffic from Dharwar *viâ* the Arbylee Ghaut can reach Sedashegur without difficulty, but at present none of any consequence exists on the line; for, as far as my information goes, neither the Manchester Cotton Company, nor Messrs. Nichol & Co., are yet prepared to receive cotton at Sedashegur, and no other houses of agency have, as far as I know, been established there.

9. Works at Sedashegur itself.

A substantial temporary bridge has been completed across the Konay creek. A permanent bridge is in course of construction; stone abutments are being prepared to receive an iron superstructure, which has been ordered round from Calcutta from Messrs. Knight & Co., of the Seebpore iron foundry, Howrah.

10. Tenders for an iron screw pile pier have been received, and negotiations are now in progress for a contract.

11. Two hundred and thirty running feet of wharfage, alongside which cargo boats can lie, have been finished, and an easy landing-place is now available. The extension of this wharfage is in progress.

12. The

12. The road from Kouay to the wharf is in progress, and two small bridges on it are in course of erection. It can be made available throughout for traffic at a few hours' notice. At present none offers.

13. The foundations of the lighthouse on the oyster rock have been laid, and the flooring raised; the whole of the wood work is ready, and the work is proceeding; nothing has yet been heard of the lantern, which, I believe, has been ordered from England.

14. From the foregoing it will be seen that though cotton can come for shipment to Sedashegur none has come, or is likely to come this season. All now goes to the adjoining port of Coompta, which is at present the place of shipment of the whole of the Dharwar crop and of a portion also of the Belgaum cotton.

15. Next year, when presses are ready, no doubt there will be heavy shipments at Sedashegur; but it will probably be some years before the port absorbs all of the Coompta trade.

I have, &c.
(signed) *M. K. Kennedy*, Lieutenant Colonel, R. E.,
Superintending Engineer S. C.

— No. 3. —

PUBLIC WORKS DESPATCH from the Government of Bombay to the Secretary of State for India.

6 June (No. 27) 1863.

WE have the honour, in continuation of our Despatch No. 21, dated 7 May 1863, to forward for your information copy of a letter from the Superintending Engineer, Southern Circle, No. 1525, dated 21 May 1863, with returns of traffic which passed along the principal roads in North Canara during the months of March and April 1863.

We have, &c.
(signed) *W. E. Frere.*
J. D. Inverarity.

Enclosure in No. 3.

SUPPLEMENTARY DOWN TRAFFIC RETURN for March 1863.

	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	
Devamony Ghaut Line:							
Taken at Kutteegaul - -	1,910	77	1,409	803	80	104	
TOTAL - - -	1,910	77	1,409	803	80	104	

(signed) *J. R. Maunsell*, Captain R. E.,
Sedashegur, 1 April 1863. Actg. Ex. Engineer, North Canara.

SUPPLEMENTARY UP TRAFFIC RETURN for March 1863.

	Carts.	Bullocks.	Empty Carts.	Empty Bullocks.	
Devamony Ghaut Line:					
Taken at Kutteegaul - -	2,672	478	60	98	
TOTAL - - -	2,672	478	60	98	

(signed) *J. R. Maunsell*, Captain R. E.,
Sedashegur, 1 April 1863. Actg. Ex. Engineer, North Canara.

DOWN TRAFFIC RETURN for March 1863.

	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	REMARKS.
Beitkool and Ankola Road:							
Taken at Aorsa - -	–	–	92	–	16	–	
Devamony Ghaut Line:							
Taken at Kutteegaul -	–	–	–	–	–	–	Carcoon absconded.
Kyga Ghaut Line:							
Taken at Mullapoor - -	–	–	–	104	–	–	
Gairseppa Ghaut Line:							
Taken at Gairseppa - -	–	–	105	11,319	–	86	
Arbyle Ghaut Line:							
Taken at Soonksaul - -	–	–	–	–	–	–	Carcoon absconded.
TOTAL - - -	–	–	197	11,423	16	86	

Sedashegur, 1 April 1863.

(signed) *J. R. Maunsell*, Captain R. E.,
Actg. Ex. Engineer, North Canara.

UP TRAFFIC RETURN for March 1863.

	Carts.	Bullocks.	Empty Carts,	Empty Bullocks.	REMARKS.
Beitkool and Ankola Road:					
Taken at Aorsa - -	9	1	74	—	
Devamony Ghaut Line:					
Taken at Kutteegaul -	–	–	–	–	Carcoon absconded.
Kyga Ghaut Line:					
Taken at Mullapoor - -	–	146	—	—	
Gairseppa Ghaut Line:					
Taken at Gairseppa - -	26	3,557	70	8,107	
Arbyle Ghaut Line:					
Taken at Soonksaul - -	–	–	–	–	Carcoon absconded.
TOTAL - - -	35	3,704	144	8,107	

Sedashegur, 1 April 1863.

(signed) *J. R. Maunsell*, Captain R. E.,
Actg. Ex. Engineer, North Canara.

Up Traffic Return for April 1863.

From Coast to the Interior.	Carts.	Bullocks.	Empty Carts.	Empty Bullocks.	——
Beitkul and Ankola Road:					
Taken at Aorsa - - -	- -	213	4	71	
Devamony Ghaut Line:					
Taken at Kuttegaul - -	3,046	1,284	49	62	
Kyga Ghaut Line:					
Taken at Mullapoor - -	- -	120	—	—	
Gairseppa Ghaut Line:					
Taken at Gairseppa - -	38	7,020	31	11,805	
Arbyle Ghaut Line:					
Taken at Soonksaul - -	98	730	12	19	
(From Coompta, *viâ* Soonksaul.)					
Total - -	3,182	9,367	96	11,957	

Sedashegur, 1 May 1863.

(signed) *J. R. Maunsell*, Captain, R. E.,
Acting Ex. Engineer, North Canara.

Down Traffic Return for April 1863.

From above Ghaut to the Coast.	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	——
Beitkul and Ankola Road:							
Taken at Aorsa - - -	- -	- -	5	260	25	8	
Devamony Ghaut Line:							
Taken at Kuttegaul - -	1,858	52	1,421	968	29	58	
Kyga Ghaut Line:							
Taken at Mullapoor - -	- -	- -	4	164	—	—	
Gairseppa Ghaut Line:							
Taken at Gairseppa - -	- -	- -	66	19,021	- -	143	
Arbyle Ghaut Line:							
Taken at Soonksaul *viâ* Soonksaul to Coompta -	142	1,940	23	459	- -	5	
Total - -	2,000	1,992	1,519	20,867	54	214	

Sedashegur, 1 May 1863.

(signed) *J. R. Maunsell*, Captain, R. E.,
Acting Ex. Engineer, North Canara.

No. 1525 of 1863.—Public Works Department.

To the Secretary to the Government, Public Works Department, Bombay.

Sir, Office of Superintending Engineer, s. c., Belgaum, 21 May 1863.

2. It is hardly worth while my reporting on the state of the Canara works so shortly after the date of my last communication on the subject (7th instant). I will, however, briefly notice each of the principal ones.

3. The Kyga Ghaut line has made no progress since the date of last report.

4. The Arbyle Ghaut line, *viâ* Ankola to Sedashegur, has progressed as well as the means at command would admit. In addition to a force of Sappers and convicts, a daily average of 2,200 coolies, and about 40 carts, have been employed on it. The only impediments now to traffic are the want of a hard moorum surface, and the incomplete state of a few of the minor bridges; the latter the Executive Engineer hopes soon to finish. In its present state, however, the line is passable for carts.

5. The Hedhurgur branch of the Ankola line is in good order, and available for cart traffic. Further progress has been made with the moorum surface on the portion between Konay and Sejwaddee, the worst parts of which were reported as having been dealt with in my last communication. On this section, 300 labourers and 7 carts have been employed during the past month.

6. The road from Konay to Baitkool Wharf is now opened to a width of 25 feet, and the two bridges spoken of in my last as under construction have been finished. The line is passable for carts, though still encumbered in parts with loose stone and material, traffic, if any offered, would now without difficulty reach the wharf at Sedashegur from Dharwar and the interior.

7. At the wharf little has been done since the date of my last report, the convicts having been employed in the necessary work of providing shelter for themselves and others against the approaching monsoon. Large native craft3, however, lie alongside the wharf to discharge, and in the way the Public Works stores as well as 500 tons of coal have already been landed.

8. At the lighthouse the absence of a steamer has been greatly felt; the rough weather which has lately prevailed has rendered the rock difficult of access, and caused the Executive Engineer some anxiety for his working party. Some of the owners of the native boats have refused to work off to the rock any longer, and the Executive Engineer will shortly be compelled to suspend the work, which has risen about four feet above the ground.

9. Of works of miscellaneous character the chief have been in connection with the provision of shelter for officers and men of all departments; and these preparations have absorbed a great portion of the Executive Engineer's available labour, and more particularly of the convicts working under him. An iron barrack from Kurrachee and several iron-roofed houses from Bombay have arrived, and are in course of erection. A temporary police thanna with gaol, a temporary custom-house, and a court-house for the moonsiff, have been completed, and several other temporary buildings are in progress.

10. Instead of two companies of native infantry as guards for the convicts, a wing of a regiment has lately arrived; and though the strength of this wing is not much in excess of the old guard, yet the men have brought their families, for whom provision must be made, and much unexpected work has thus been thrown on the Executive Engineer without any warning.

11. The works of the private firms at Sedashegur are progessing, but are not yet in a sufficiently advanced state to admit of the shipment of pressed cotton.

I have, &c.
(signed) *M. K. Kennedy*, Lieutenant Colonel,
Superintending Engineer, S. C.

— No. 4. —

Public Works Despatch from the Government of India to the Secretary of State for India.

23 June (No. 29) 1863.

We have the honour to acknowledge the receipt of your Despatch No. 1, dated the 24th January 1863, forwarding for our information copy of a letter from Mr. Hugh Mason, Chairman of the Manchester Cotton Company, and of its enclosure, respecting the progress of works at Beitkul.

2. For

2. For an answer to the statements in the enclosure to Mr. Mason's letter, we beg to refer you to our general reports on the subject of the public works in North Canara.

3. We would remark that it is easy to say that the Cotton Company's tramway and jetty would have been completed sooner but for a change of level on the Government road, and, without knowing what the Cotton Company originally proposed, it may not be easy to disprove the assertion, but it can be readily shown that no change of level in the road was possible which could give more than a colourable pretext for delaying the completion of the tramway and jetty as they now stand.

4. The insinuation of inability to ascertain the intentions of the Government engineers regarding the level of the road, after a correspondence of four months, may be left to answer itself. If the Company really believe such a correspondence exists as would prove that their agents attempted in vain for four months to discover the intentions of the Government engineers, we would suggest they should call for copies of the correspondence.

5. The company will be able to judge how far the delay in erecting the press house was due to the delay in completing the pier and jetty, by observing the length of time between the completion of the latter works and the erection of the press house, of which the foundations were hardly complete at the end of February.

6. It is not necessary to comment on the remarks regarding the Government works. So far from being in the backward state here described, when our president saw them only three months later, he was surprised at the progress made, and we do not believe that it was possible in the presence of such great difficulties for the Public Works Department to have done more.

We have, &c.
(signed) *H. B. E. Frere.*
W. S. Mansfield.
W. E. Frere.

— No. 5. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 30th June (No. 19) 1863.

1. I HAVE had before me in Council the despatches of your Government, of the numbers and dates noted in the margin,* reporting proceedings at and near Sedashegur.

* Revenue Despatch, No. 18, of 27 October 1862.
Public Works „ 14, of 21 March 1863.
„ „ 17, of 22 April 1863.
„ „ 21, of 7 May 1863.

2. It has, I observe, been finally decided that the chief station of North Canara shall be in that neighbourhood, and shall occupy a site extending along the southern side of Sedashegur Bay from Beitcul to Konay, and there is reason to believe that no better situation could have been chosen. Whatever inconvenience may arise from the distance of Sedashegur from the more inland portions of North Canara, will be more than counterbalanced by the advantage of having all public departments in close proximity to each other, in a place which is likely to become the principal seat of commerce and private business in the district. It may be worthy of consideration whether, with reference to the large foreign trade which Sedashegur may be expected to carry on, it might not be advisable to alter its designation to Beitcul, as one less liable to be mis-spelt and mispronounced by Europeans.

3. The provisional instructions which have been issued with respect to the plan of the future town, while evincing the desire of your Government to provide in the most effectual manner for all commercial requirements, exhibit also due anxiety to avoid all unnecessary interference with existing proprietary rights. I shall be glad to receive early and regular information regarding the progress that may from time to time be made in carrying out the arrangements contemplated in those instructions.

4. From the particulars stated regarding the Arbyle Ghaut Road, I infer that, early in the year, it was brought into a condition to bear all the traffic for which it would be required during the present season, and I hope soon to hear that it has been largely used for the conveyance of cotton. I observe that Messrs. Nicol & Co., writing in January last, fully expected to be able, in a short time, to make shipments of that article direct to England.

5. I am desirous of knowing what has been the result of the inquiries which you directed to be made as to the possibility of getting the Kygah Road completed by contract.

(signed) *C. Wood.*

— No 6. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

21 July (No. 35) 1863.

WE have the honour, in continuation of our Despatch No. 27, dated 6 June 1863, to forward for your information copy of a letter from the Superintending Engineer, Southern Circle, dated 30 June 1863, reporting the progress made in the works in progress in North Canara, together with returns of traffic on the principal roads of that district during the month of May 1863.

We have, &c.
(signed) *H. B. E. Frere.*
W. S. Mansfield.
W. E. Frere.
J. D. Inverarity.

Enclosures in No. 6.

No. 2,051 of 1863.—Public Works Department, Office of Superintending Engineer, S. C., Belgaum, 30 June 1863, to the Secretary to Government, Public Works Department, Bombay.

Sir,

I HAVE the honour to forward traffic returns for North Canara for the month of May last.

2. In respect to the works at, and about, Sedashegur, I have not much to add to my last report.

3. The approach roads have been in progress, the principal item being the formation of the moorum surface.

4. The daily average number of coolies that has been employed on all the works has been 2,400, in addition to 85 carts, the convicts, and the Sappers and Miners. A great portion of the labour has, however, been absorbed by the erection of quarters at Beitkul and Urgay for officers, men, and establishments, of all departments.

5. The wharf at Beitkul cove is, as before reported, accessible by carts from Dharwar and the interior by the Arbyle Ghaut line, but no traffic has yet come to the port.

6. The lighthouse on the oyster rock has been built to a height of 12′ above the ground, and the floor of the first story laid; the work can be completed very soon after the monsoon, and would have made better progress this season had a steamer been earlier available.

7. Of the wooden houses sent from Bombay, four are completed and occupied, and are stated to prove very comfortable residences; two are approaching completion, and another has been commenced. The quarters for the Executive Engineer's establishment are well in hand, and a portion of them were stated, at the date of the last advice from Sedashegur, to be nearly ready for occupation.

8. The jail buildings, Commissariat godown, and police lines, are all completed.

9. The barracks for the wing of the 24th Regiment Native Infantry are nearly finished, and the men have gone into them; a quarter guard and outhouses for hospital alone remain to be erected.

10. The temporary quarters for the Moonsiff at Koney have been completed, and those for his establishment nearly so. Two sheds to shelter Government cattle have been erected.

11. Fever

11. Fever has been very prevalent about Amdully, and Special Assistant Engineer Mr. Koing and all his establishment have been laid up with it.

12. The Bellekerry Bridge works have been deserted by the masons employed on them, in consequence of the death from fever of one of their number.

13. A party of sappers, at Ugsoor, was attacked by fever, and, though twice relieved, little or nothing could be done at that place in consequence.

I have, &c.
(signed) *M. K. Kennedy*, Lieut. Colonel,
Superintending Engineer, S. C.

DOWN TRAFFIC RETURN for May 1863.

From above Ghaut to the Coast.	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	——
Devamony Ghaut Line:							
Taken at Kuttegaul - - -	4,378	157	1,167	452	1	39	
Kyga Ghaut Line:							
Taken at Mullapoor - - -	- -	- -	- -	329	—	—	
Gairsoppa Ghaut Line:							
Taken at Gairsoppa - -	- -	- -	67	11,591	2	250	
Arbyle Ghaut Line:							
Taken at Hebool (*viâ* Aorsa) -	- -	- -	54	600	50	40	
Ditto - (*viâ* Coompta)	- -	- -	- -	148	—	—	
Ditto - (*viâ* Aukola) -	- -	- -	11	640	—	—	
TOTAL - - -	4,378	157	1,299	13,760	53	329	

Sedashegur,
1 June 1863.

(signed) *J. R. Maunsell*, Captain,
Acting Executive Engineer, North Canara.

UP TRAFFIC RETURN for May 1863.

From Coast to the Interior.	Carts.	Bullocks.	Empty Carts.	Empty Bullocks.	——
Devamony Ghaut Line:					
Taken at Kuttegaul - - -	2,818	1,031	12	42	
Kyga Ghaut Line:					
Taken at Mullapoor - -	- -	201	—	—	
Gairseppa Ghaut Line:					
Taken at Gairseppa - - -	46	5,722	22	6,120	
Arbyle Ghaut Line:					
Taken at Hebool (*viâ* Aorsa) -	23	119	64	42	
Ditto - (*viâ* Coompta)	3	322	—	—	
Ditto - (*viâ* Aukola) -	9	296	2	—	
TOTAL - - -	2,899	7,691	100	6,204	

Sedashegur,
1 June 1863.

(signed) *J. R. Maunsell*, Captain,
Acting Executive Engineer, North Canara.

— No. 7. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

Right Honourable Sir, July 21 (No. 37) 1863.

IN reference to your Despatch No. 6, of the 26th February 1863, we beg to forward copy of a letter addressed by Dr. Forbes to our Secretary on the "Statement of Claims" made by the Manchester Cotton Company.

We have, &c.
(signed) *W. R. Mansfield.*
W. E. Frere.
J. D. Inverarity.

Enclosure in No. 7.

From Surgeon Major *G. F. Forbes*, Sedashegur, to Lieutenant Colonel *H. Rivers*, Secretary to Government, Public Works Department, Bombay.

Sir,

I HAVE the honour to acknowledge receipt of your letter No. 671, dated 8th ultimo, forwarding for my report copy of a despatch from the Secretary of State for India on the subject of a claim made for compensation by the Directors of the Manchester Cotton Company, Limited.

2. In reply, I would beg to observe that, upon careful perusal of the correspondence, it appears to me that the refutation of each and all of the points or heads upon which the "Statement of Claim" is founded, is so indisputably established in the Government Despatch, that any comment or report from me on the subject cannot fail to be viewed as otherwise than superfluous. It is, therefore, only in obedience to the instructions conveyed in your letter, that I venture to submit the following remarks, embracing as they do little or nothing beyond what has already been stated.

3. It is asserted that a promise was given that a pier should be prepared and ready before the arrival of the Company's first ship at Sedashegur. In the first paragraph of the "Statement of Claim" the Directors admit their knowledge of the fact that no pier was in existence at the end of March 1861. Yet only a few days afterwards, namely, on the 3rd of April, they gave intimation of their intention of sending out their first vessel "in the course of a few weeks."

4. This is noticed in the despatch, and is of itself sufficient to render absurd the idea that the Directors could either have received or relied upon any such promise, because it would have left but the short space of three, or, at most, four months for the completion of a public work which, even in England, could hardly have its foundations laid within the time, far less at a place like Sedashegur, where the resources were so limited.

5. Moreover, the bare supposition that such an expectation could have been entertained argues an ignorance of the seasons in India, to which, I think, the Directors would be sorry to own. They should have known that even if an order had been despatched by the mail following the 3rd of April, it could only reach its destination as the monsoon was setting in, and that consequently for the space of the four succeeding months no work of that description could be proceeded with. For these reasons, it appears to me that this portion of the "Statement of Claim" carries with it its own contradiction.

6. I shall now notice in succession the alleged causes of loss which, in the "Statement of Claim," the want of this pier is represented to have given rise to.

7. In this statement the Directors suppress a fact which must be perfectly well known to them, namely, that the spot selected for landing their cargoes was identical with that upon which the Madras Government had intended to construct the pier. So that, even had the pier been ready, their machinery, when landed upon it, would still have had to be taken over to "their own land" upon the opposite side of the bay.

1. The Company's agents would have been able to unload their machinery and place it at once upon their own land, instead of having to land it upon the opposite side of the bay, whence it has again to be brought over at very great expense.

8. No landing-place would have been required "under Carwar Head," except for circumstances for which the Directors are alone answerable. The culpable mistake (against which I had specially warned them) of sending out a vessel to arrive at the very time that the setting in of the monsoon might be daily looked for, left no choice except that of seizing upon the spot nearest and most convenient for the purpose of landing and sheltering their property with the least loss of time.

2. The Company would not have had to construct a temporary landing-place under Carwar Head, one mile from the Company's land, employing labour upon work which could otherwise have been directed to preparations for erecting their press-house.

9. So

9. So late (on the 6th May) was the vessel in appearing, that parties on the spot who were best acquainted with the seasons deemed it scarcely prudent (pier or no pier) to make the attempt at unloading the ship; but it was clear to all that, if the attempt was to be made, it could only be successful by adopting the above precaution. Because it admitted of the approach of the vessel within 150 yards of the spot I had selected for making the landing place (and upon which the Madras Pier was to have been built), whilst it could not have been brought within less than 700 yards of the beach in front of Alliguddy, the Company's land.

10. As to the statement that the labour so employed might otherwise have been available for erecting their press-house, it is sufficient to say that the labour in question consisted of coolies; lent through the kindness of the Government engineer, to meet the emergency of the occasion. This favour was conceded by him at a time that he was himself hard-pressed for workpeople, and it could neither have been asked for nor granted for the purpose of preparing to erect press-houses.

11. If this statement be true, it only exposes the utter incompetency of their local management as compared with that of other parties on the spot under similar circumstances. That there was no "absolute necessity" for the construction of any such convenience, merely for the purpose of transferring the machinery, is shown, in the first place, from the fact that the firm of Messrs. Nicol and Co., in the month of December last, conveyed their ship's cargo of similar pressing-machinery to their own land at Konay, landing it on the open beach, without requiring any pier, though the situation is more exposed and difficult of approach than that in front of Alliguddy; and pieces of their machinery weighed 6½ tons.

3. The Company would have been spared the absolute necessity of constructing, as it has done, a pier on its own account, for the purpose of thus transferring the machinery now lying on the other side of the bay.

12. In the second place, it is proved from the fact that a very considerable proportion of the "Seringapatam's" cargo was at that time unloaded upon the Company's land, but it was necessarily limited to such articles as would not receive injury from exposure to rain; and there was nothing whatsoever that could have prevented the stowage of the whole cargo upon their land, except the shortness of the time allowed, and the entire want of the preparation that could, and ought to have been, previously made for its reception.

13. I may here mention what those preparations ought to have been. The land was ricefields, flooded from June till December, and sites for sheds required filling in and raising, for protection from damp. Shelter would be wanted for the European workmen, the machinery and cargo, and also for such native labourers as might be usefully employed during the monsoon. The materials for the erection of the sheds could only be obtained from the forest, at some distance: and consequently all these were matters which required a little time.

14. The negotiation for the possession of Alliguddy had been concluded as far back as the month of December 1861, and in the whole of this matter the Company were solely indebted to the exertions of a Government officer, Mr. Müller, the Assistant Conservator of Forests, whose services I had brought into requisition. But for his aid and acquaintance with people on the spot, the Company would probably not have been in possession of the land to the present day.

15. The same gentleman would willingly have given further assistance, and if, before leaving at that time the Company's representative would but give the necessary authority for the outlay, Mr. Müller could have ordered and supervised the preparations that were necessary against the vessel's arrival.

16. But no such authority could be obtained, and the result was that, on his return with me to Sedashegur in the month of April following, there was not even a stick upon the land; and it was, therefore, not without difficulty that a chupper could be erected in time for the reception of the European workmen expected by the vessel. The new manager, Mr. Fleming, was not so fortunate, and was deluged with rain in his tents before a small place could be got ready for him.

17. Had the above-mentioned available assistance been turned to account, all the preparations required upon the land might have been ready long before the ship's arrival. To provide them afterwards was not practicable, because during the continuance of the rainy season the materials could not be conveyed to the spot. The consequence of this neglect, therefore, has been not only the loss of time of the monsoon months, which might have been very profitably employed with in-door and other labour, but also that the proper working season, which commences after the close of the monsoon, has been largely encroached upon for the above objects, which have occupied time that ought to have been available for the erection of the cotton-presses. This is the true reason of the machinery having been allowed to remain so long upon its first landing-place, and not because of any other difficulty.

18. The distance by water is just 600 yards (not a mile, as stated), and all that remained of the machinery and materials required for the presses and their buildings could at any time have been removed from the one place to the other within a week; but, until it was actually wanted, there was no occasion for having it so removed.

4. The machinery, thus landed and relanded under great disadvantages, has consequently sustained considerable damage.

19. What damage the machinery may have sustained at the hands of those who had afterwards to deal with it, I know not; but of this I am certain—that it suffered no damage in its first landing.

20. A wharf has been prepared at Beitkul months ago, which is amply sufficient for the present wants of the port. But it has led to no business communications with the Company, for the obvious reason that the Company is not yet prepared to enter into business communications of any description.

5. Other capitalists, native and European, besides the Manchester Cotton Company, would have been prepared to avail themselves of the advantages of such pier, and their presence at Beitkul would have led to business communications with the Company.

21. I may now notice the statement that great loss has been sustained, owing to the detention at Sedashegur of "cotton-gins," presses, and other machinery which ought to have been sent into the Dharwar Districts.

22. If any such loss has been sustained, the shareholders may well ask of those to whom they have entrusted their affairs, how it has happened that the said machinery was not at once sent into the cotton districts the moment the season opened.

23. Ever since the termination of the last monsoon, I have been forwarding hundreds of cartloads of machinery to Dharwar without the slightest difficulty; and as the same means were open to the Company, it really looks as if these machines were purposely detained, in the hope that they might furnish a plausible ground of complaint.

24. The reason assigned is the want of a road. Supposing that they had been provided with the best of roads from Sedashegur, they would still have had to procure carriage, and the requisite number of carts must have been obtained from the interior at an expense of from 25 to 30 rupees each, whilst return cotton-carts from Coompta were available at the cost of five rupees each.

25. Two days of watercarriage would have conveyed the whole of the machinery but the Tuddy Creek to Monkey Ferry, where hundreds of return Coompta cotton-carts are daily procurable, and the journey thence into the interior occupies from five to six days. No manager worthy of the name can, for a moment, assert that during any period since the close of the last monsoon, he would have had the slightest difficulty in forwarding the Company's machinery into the Dharwar districts; and if he would not make the attempt, he alone is answerable. With ample means of transport at his disposal, he might as well have talked of waiting for a railway as for a particular road.

26. In the claim they have submitted, the Directors have advanced a sort of general statement of the enormous advantages that would have accrued to their Company if there had only been a road opened out to Beitkul, and of the great losses they have sustained from the want of such a road.

27. As their machinery only arrived at the close of the cotton season of 1862, when that crop had been already disposed of, it was, of course, not expected that it could have been brought to operate upon anything earlier than the cotton of the following season, namely, that of 1863, which is now, and has been for a month back, finding its way to Coompta only: and the question may be asked, how does it happen that not one cartload of this new cotton has as yet found its way to Beitkul?

28. As far as a road is concerned, the advantage is now in favour of the latter place; carts could get to it with much less difficulty than to Coompta, because throughout the journey they would not have to break bulk once, and the relative facilities for shipment at the respective ports wont even bear comparison—still the cotton is sent to Coompta only.

29. The answer to this is, that the merchants and cotton-dealers of Coompta do not think it worth while to alter their old arrangements, nor will they do so until they are tempted by the advantage of direct shipment to England from Beitkul. They have their houses and storeyards on the spot, and the single benefit of greater facility for shipment is not sufficient to induce them to leave.

30. It appears from the above that, though a road to Beitkul is now available, and so also is a commodious wharf, still none of the enormous advantages counted up by the Directors in their "Statement of Claim" have as yet accrued to the Company. Neither the natives in the interior nor the Bombay European houses have commenced sending their cotton-carts to Beitkul, nor will they do so until cotton presses are ready for them; consequently there are no native traders to see the Company's machinery; no return-carts to convey it into the interior, nor is there a tramway company; and it is, therefore, quite evident that it is not the failure in the promises of Government that has seriously injured the Company.

31. When these facts are made known to them, the shareholders must see that their credulity is being imposed upon when they are expected to believe any such statements as those assigned as the cause of their losses; and if they desire to arrive at the real reasons, let them inquire into the management of their affairs from the commencement up to the present period.

32. Had their first ship been sent out at a proper time, and due preparation been made on their own land for the reception of their machinery and stores, and for the proper accommodation,

modation of workpeople, their presses (in competent hands) might by this time have been in full work, and profitable returns accruing from them; whereas, judging from the progress made up to this time, it appears to me doubtful whether they will be ready even for the crop of 1864.

33. They may also ascertain that, through the blunder of sending out their iron houses unfitted, much unnecessary labour and grievous delay has been occasioned. I have been told that the parties contracted with offered to fit and set them up at home for the sum of 100*l.*; and if time is considered of any value, that sum fivefold so laid out would have been judiciously expended. There is a vast difference between the ease and expedition with which the ragged edges of iron castings can be removed and their respective parts fitted to each other, at a well-appointed establishment at home, with steam and other appliances at command, and the slow process of the mere hand-labour of three or four Europeans in the climate of India. Here progress is delayed from a cause for which there should be no excuse.

34. Again, the detention of the Company's cotton-gins and other machinery at Beitkul, unnecessary and inexcusable as I have shown it to be, has thrown that branch of the undertaking 12 months behind, for nothing can be done with such machinery, arriving only in the district just as the monsoon is setting in. They must now await the close of that season, and might as well have done so while they were at Beitkul.

35. In their "Statement of Claim" the Directors admit that the "reputation of the Company has sustained great and incalculable injury." The confession is quite true, but not so the reasons assigned; and the Directors might at the same time have owned that they were not left without ample and timely warning from me of events and causes that were certain to lead to such a result, as well as of the measures that should have been adopted to avert it.

36. Both the warning and the advice were unheeded, and they need not now be surprised if there has also been "loss of trade," loss of employment of the Company's gins and presses, and of the sale of its machinery. Without competent management it is as unreasonable to expect success as it is to attempt to throw the blame of failure upon causes which do not require to be invented.

37. Having now noticed all the points brought forward in support of this extraordinary claim, it only remains for me to say, that from being in a position which not only makes me fully aware of all the circumstances at home which led to the formation of the Manchester Cotton Company, but which has also enabled me to observe personally in this country the results of the measures that have been adopted, I have the advantage even of the Directors in guiding me to an opinion, and I cannot help thinking that they could only have adopted their present course from having been misled and ill-advised.

38. Instead of endeavouring, upon such flimsy and untenable grounds, to cast blame upon a Government which has not only done its utmost to forward their views, but has also favoured them to an extent which (as a trading body, and in justice to others) they had no right to expect, the Directors would, in my opinion, have placed themselves in a far more favourable position with the public if they had boldly and frankly confessed the real cause of their discomfiture—namely, the utter failure of their praiseworthy effort to rouse the trade of Lancashire to the sense of a duty which it owed not only to its own interests, but also to the welfare and (as experience has shown) almost the existence of the operatives depending upon it.

39. The grand programme published by the Directors in their "Prospectus" gives proof of what their laudable intentions and expectations were, in the hope of being able to forward both English and Indian interests; but so far from sufficient means having been placed at their disposal for developing the resources of a great Empire, they have been barely able to raise funds enough for the establishment of a third-class pressing company, and sort of commission agency for the sale of machinery.

40. With all the facts placed before it, however, the public will not be deceived: and in recalling to recollection the grand display made at Manchester for the occasion, the great public meetings that were held, and the fine speeches that were made, the attempt to dignify this puny effort with the name of a national enterprise will be but exposing it to ridicule, and it will be truly said that the "heaving of the mountain has only brought forth a mouse."

I have, &c.
(signed) *G. F. Forbes*,
Surgeon Major and Superintendent,
Sedashegur.

Sedashegur, 1 June 1863.

— No. 8. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 31 July (No. 21) 1863.

Para. 1. WITH reference to the question raised in paragraph 2 of my Despatch (No. 19), of 30th June 1863, as to the name to be given to the new town about to be built on the shore of Sedashegur Bay, I transmit herewith, for your Excellency's consideration, a memorandum, drawn up in this office by Mr. Clements Markham, in which it is suggested that Carwar might be a more appropriate name than Beitcul.

2. The paper will be found to contain some interesting particulars regarding the factory formerly existing at Carwar, now Cadawah.

(signed) *C. Wood.*

Enclosures in No. 8.

MEMORANDUM on the Change of Name from *Sedashegur* to one that is simpler and more easily spelt.

The Old Carwar Factory.

IN considering the question of changing the name of the new port on the west coast of India from Sedashegur (Seda-Shiva-ghur) to a more convenient and pronounceable one, the following notes may raise a doubt whether the name of Carwar has not a better right to the contemplated honour than that of Beitcul.

Carwar is a name well known in history, and it was for many years one of the principal factories of the East India Company on the west coast. Beitcul is the name of an insignificant little village in the bay.

The East India Company had a large stone-built factory at Carwar (or Cadavaud) as long ago as 1663. The factory was on the south side of the Kala-nuddee river, and about three miles from its mouth, where its ruins may still be seen.

The factory was established for collecting pepper, cardamoms, &c. for the Company's ships; and, at one time, muslins of very superior quality appear to have been manufactured there for export. The Company's ships found secure anchorage in Carwar Bay, and were occasionally careened in the cove (now called Beitcul Cove). In 1663, it is recorded by Bruce that sales of lead and broadcloth were effected at the Carwar Factory, in exchange for pepper, cardamoms, cassia lignum, and dungarees. When Indiamen arrived at Surat, some of them, with a proportion of European goods, were sent to Carwar and other factories, under orders to dispose of them, and to return with the produce intended for Europe.

The petty Rajah of Soonda frequently levied contributions from the Carwar Factory; the Portuguese also incessantly intrigued against the English, and at last it was determined to dissolve the establishment. This was in 1679. After the death of Sevajee, however, the Presidency of Surat appears to have regretted the orders from home to abandon Carwar. Mr. John Child, who was appointed to the Presidency of Surat in 1682, was to re-establish the factory there, and he enlarged its establishment in order to keep open the means of obtaining pepper, cardamoms, benjamin, cloth, and cassia lignum.

In 1690 three ships took in pepper at Carwar without proceeding to Surat, and thus were the first to open a direct trade between Carwar and England.

During the last 10 years of the 17th century, the Dutch made every effort to depress the English pepper trade at Carwar, but the factory continued its operations; and it appears in the list of factories belonging to the two East India Companies at their union in 1707–8.

But in 1720 it was attacked by the Rajah of Soonda, the muslin manufactory was destroyed, and the English were obliged to abandon the place. Carwar appears to have been originally fixed upon as a site for a factory from the excellency of the anchorage in the bay, for it is not in a very central position as regards the pepper and cardamom districts.

The Company always regretted that they had been compelled to abandon the Carwar Factory; and, in December 1750, Robert Holford was sent to open a trade in pepper there. He persevered for two years against the vigorous opposition of the Portuguese and the insolence of the natives. He was not permitted to rebuild the old factory, because it was

built

built of stone and might be converted into a fort, nor to put his own bungalow in a posture of defence. At last the Portuguese appeared before the port with a fleet, and took possession of the native fort; and the Bombay Government recalled their agent in September 1752.

"Thus ended the last attempt to form an English factory at Carwar, or as it has since been called, Sedashevagur."—*Bombay Quarterly Review*, VI., p. 210.*

These particulars respecting the old factory show that not only the point of land, but the bay, and the English establishment, were all known by the name of Carwar from 1663, to the abandonment of the place in 1752. The name is short and easy to pronounce; and, if for these reasons, the adoption of a new name is in contemplation, it would appear that the claim of Carwar is much stronger than that of Beitcul.

Clements R. Markham.

Public Works Department, India Office,
30 June 1863.

FURTHER MEMORANDA respecting *Carwar*.

THE earliest mention of the modern harbour of Sedashegur is probably to be found in Ludovico Varthema's Narrative, A. D. 1502. This quaint old Italian traveller visited a place called Battacala, which may be the modern Beitcul.

Alexander Hamilton (A. D. 1688-1723) was there for some time, and always called the town, factory, and river Carwar, although he also mentions Batacola and Batcoal. Hamilton's Batacola, however, seems to have been to the south of Honore (the modern Batcull), and this, also, may have been the site of Varthema's Battacala, Hamilton's Batcoal, which he describes as two leagues from Anjediva Island, is no doubt the modern Beitcul. He only mentions it once, in describing the position of the island—"The Portuguese have an island called Anjediva, about two miles from Batcoal, which they fortified, &c."

Of Carwar, however, he gives a very full account. He says that it has the advantage of a very good harbour on the south side of a bay, and a river capable of receiving ships of 300 tons. The factory was fortified with two bastions and some small cannon.

The chief of Carwar factory was held in great esteem in the country, and he kept a score of good English dogs for the chase, each allowed 2 lbs. of boiled rice daily. Indeed, the fame of Carwar as a place for good sport spread far and wide, and induced two English sportsmen, one of whom was a son of Lord Goring, to undertake a voyage to the East Indies. They spent three years at Carwar, A. D. 1678–81, and sailing for England in the latter year, Mr. Goring died four days after the ship left Carwar, and was buried on an island four leagues from the shore, off Batacola.

The English had a great cotton trade at Carwar, and employed 50,000 people in the manufactory; but when the Mogul soldiers invaded the country, they cut the Company's cloth from the looms. Hamilton was at Carwar in 1718, when, owing to the unpopularity of Mr. Taylor, the factor, the Rajah of Soonda besieged the factory, and two years afterwards it was altogether abandoned.

Hamilton says there are two islands off the mouth of Carwar river, called Shipe and Gur, (Coormaghur? and Deoghur?) and that there is a sharp rock in the middle of the channel between Carwar Head and the Oyster Rocks, in 15 feet of water.

Clements R. Markham.

The modern name of Seda-Shiva-ghur comes from the fact of a rajah of Soonda, named Seda-Shiva-Rao, having built a fort (ghur) on the north side of the Kalanuddee river, opposite the Carwar factory.

— No. 9. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 8 August (No. 22) 1863.

Para. 1. I HAVE considered in Council your Excellency's Despatches Nos. 26 and 27, dated 4th and 6th of June, 1863, transmitting reports on the state of the works at, and of the roads leading to, Sedashegur.

2. These reports are so far satisfactory as shewing that if no cotton should be brought to Sedashegur during the season of 1863, it will not be owing to the want either of roads leading to the port, or of facilities for shipping the goods.

3. Carts

* *See* also Bruce's "Annals," Thornton's "Gazetteer," and Anquetil's "Voyage."

3. Carts could now without difficulty come down from the interior, and when arrived, would find sufficient wharfage accommodation for the transfer of their loads to cargo boats. But neither of the agencies established at Sedashegur has, it appears, as yet got its presses ready, or is otherwise in a condition to receive cotton.

4. The lantern and light room for the lighthouse on the Oyster Rock, have been ordered from Messrs. Chance of Birmingham. The light apparatus is ready, but the light-room cannot be completed until the height of the tower is known, and until information is received from your Government on this point, no further progress* can be made in this respect.

(signed) *C. Wood.*

— No. 10. —

EXTRACT PUBLIC WORKS DESPATCH, from the Secretary of State to the Government of Bombay, No. 27, dated 16 September 1863.

LETTER, dated 23 June (No. 29) 1863.

Answer to statements made by Mr. Hugh Mason respecting the works at Beitcul.

4. THE reports which have been received from time to time, from your Government, respecting the progress of the public works at Beitkul, contain a sufficient refutation of the statements in the enclosure to Mr. Hugh Mason's letter, which I transmitted to you in my Despatch, dated January 24, (No. 1), 1863.

— No. 11. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

24 September (No. 43) 1863.

IN continuation of our Despatch No. 35, dated 21 July 1863, we have the honour to forward returns of traffic on the principal roads in North Canara for the month of June last.

2. Information which reached us during the heaviest period of the monsoon led us to fear that the approaches which were, during the last season, constructed to Karwar had suffered very severely; but from the reports of progress which have now been received we learn with satisfaction that the rumours we speak of have been much exaggerated, and that the damage sustained has really been as little as could have been reasonably expected when the circumstances of the locality of the works, and the hurried manner in which they have been necessarily pushed forward, are taken into account.

3. The following is the substance of the reports we have received on this subject from our local officers in the Public Works Department:—

4. One of the approach roads, that by the Hyderghur Ghaut, has received no injury at all worth speaking of, and has been maintained throughout in a practicable condition.

5. On the new line from Karwar to Ankola, where the road is in hill-side cutting, a few land slips have occurred, but such slips are usual in all new ghaut roads, and it is the common practice to encourage them, with a view to save labour in excavation, for the first year or two, while the road, as in the present case, is under construction, and is not widened out to its full breadth.

6. A few of the small temporary bridges and drains have suffered, owing apparently to the inferior quality of the masonry executed by the convicts, but they have already been very nearly restored.

7. The

* The necessary information was received from the Bombay Government, with their Public Works Despatch, dated 21 January (No. 3) 1864.

7. The most serious damage that has occurred has been to a partially finished embankment about one mile in length across Bhingy Bay, which, for want of a proper surface to protect the sandy soil of which it is necessarily composed, has been a good deal cut up.

8. This embankment is reported to have been constructed a little too low, and to have been insufficiently provided with cross drainage; and both these faults, which are due to the hurry in which these works were executed, and to the scanty supply of labour available, will now be corrected. In cases like this of long embankments across rice land flats, it is almost impossible, until the experience of a monsoon has settled the points, to determine on the minimum safe height, and the number and size of the cross drainage openings necessary. It is, however, very satisfactory to find that on the date of the last report (Captain Maunsell's Letter No. 2455, a copy of which is attached), all damage to this embankment had been made good, and we are assured that on the opening of the season these road-works will be in a better condition than they were on the setting in of the monsoon, inasmuch as their defects will have been discovered and made good, and those portions which have stood will have been tested and consolidated.

9. With the above exceptions we are assured that little or no serious injury has occurred to the roads leading to Karwar.

10. The wharf wall in Beitkul Cove is reported to have stood the monsoon well, and communication from the wharf to Konay to have been preserved uninterruptedly by a perfectly practicable road, and by a temporary bridge of substantial construction across the Konay creek.

11. From the southern foot of the Hyderghur Pass *viâ* the Arbyle Ghaut to the Dharwar districts, there have been only the usual monsoon difficulties inseparable from a road of this character through such a country as North Canara subject to a rain-fall of from 150 to 200 inches in the four or five monsoon months which alone would almost ensure the cessation of ordinary traffic.

12. It is greatly to be regretted that the epidemic fever, which has proved the most serious obstacle to the progress of public works in North Canara and so great a scourge to the district generally, does not appear to have abated. It seems, on the contrary, rather on the increase; and from late reports we have received, we learn that another of our Public Works officers, who has also done useful service, is about to be compelled to leave his post on medical certificate. Mr. Konig.

13. We have satisfaction in informing you that there is a prospect of our obtaining, during the coming working season, valuable assistance in the way of contracts for some of the Canara works. We have received several tenders, the most reliable of which we have provisionally accepted.

14. We shall be glad to know what steps you have been pleased to take on our Despatch No. 23, dated 21 May 1863, forwarding to you for acceptance Mr. Wells' tender for the screw pile pier to be erected at Carwar, and to learn when we may expect the arrival of Mr. Wells' agents with the pier materials.

We have, &c.
(signed) *H. B. E. Frere.*
W. S. Mansfield.
W. E. Frere.
J. D. Inverarity.

Enclosures in No. 11.

Up Traffic Return for June 1863.

From Coast to the Interior.	Carts.	Bullocks.	Empty Carts.	Empty Bullocks.	——
Devamoney Ghat Line:					
Taken at Kattegaul - -	1,226	262	—	—	
Kyga Ghat Line:					
Taken at Mullapoor - -	- -	33	—	—	
Gairsoppa Ghat Line:					
Taken at Gairsoppa - -	3	893	- -	1,057	
Arbyle Ghat Line:					
Taken at Hebool (*viâ* Ankola) -	4	5	—	—	
Ditto - (*viâ* Coompta)	2	79	—	—	
Ditto - (*viâ* Ankola) -	10	124	3	6	
Total - - -	1,245	1,396	3	1,063	

Sedashegur,
1 July 1863.

(signed) *J. R. Maunsell*, Captain, R.E.,
Acting Ex.-Engineer, North Canara.

Down Traffic Return for June 1863.

From above Ghat to the Coast.	Cotton Carts.	Cotton Bullocks.	Other Carts.	Other Bullocks.	Empty Carts.	Empty Bullocks.	——
Devamoney Ghat Line:							
Taken at Kattegaul - - -	672	1	315	139	—	—	
Kyga Ghat Line:							
Taken at Mullapoor - -	- -	- -	- -	50	—	—	
Gairsoppa Ghat Line:							
Taken at Gairsoppa - -	- -	- -	2	1,575	- -	159	
Arbyle Ghat Line:							
Taken at Hebool (*viâ* Aorsa) -	- -	- -	9	61	—	—	
Ditto - (*viâ* Coompta)	- -	- -	2	7	—	—	
Ditto - (*viâ* Ankola) -	- -	- -	8	68	—	—	
Total - - -	672	1	336	1,900	- -	159	

Sedashegur,
1 July 1863.

(signed) *J. R. Maunsell*, Captain, R.E.,
Acting Ex.-Engineer, North Canara.

No. 2455 of 1863.—Public Works Department.

Beitkul and Ankola Road.

To the Superintending Engineer, Southern Circle.

Office of Executive Engineer, N. C.,
Sedashegur, 3 September 1863.

Sir,

I have the honour to acknowledge receipt of yours, No. 4498 of 21st August.

2. The roads in the neighbourhood of Sedashegur have, doubtless, suffered injury during the rains; it is usual for all new roads to do so, and was anticipated so far back as October

October 1862, in the 10th para. of your No. 2985 to the Chief Engineer, with reference to the criticisms foreseen by Colonel Kennedy, and which appear to have now reached him. The damage that has occurred has been brought to your notice in the monthly reports; it is not so much as I anticipated it would have been. Arranged in the order directed by the Secretary to Government, the following report will show the amount of injury occurred:—

1. *Beithool to commencement of Bhingy Bay Ghaut.*—The ascent of the ghaut commences at Beitkool, close to the Public Works Storeyard, and terminates near the village of Bhingy; no damage has been done to this beyond one or two landslips on the summit of the ghaut, which it did not take long to clear away.

2. *Across Bhingy Bay.*—On this portion most injury has occurred throughout the whole line; the whole embankment had been completed and partially covered with indifferent moorum, no good moorum being obtainable for the greater portion of the road. The soil of the bay consists of light friable earth, and on the setting-in of the rains a considerable portion of it was washed away, the cross-drains being gradually widened out or eaten into, and a small bridge on piles rendered impassable. Even here, in order to show that the actual damage which may have appeared to amateur criticisers was not so much as may have been stated, I may observe that the embankment has been entirely repaired for some days, and the mooruming of the whole more than one-half completed.

3. *From Bhingy Bay to Urgay.*—This portion consists entirely of ghaut work, and the damage occurred consists of landslips, which have been considerable in some few cases, but the whole of which are now cleared away. The slips occurred from above, and in not a single instance was the road itself washed away.

The bridges on the ghaut have suffered; they were all in an incomplete state, and the rains setting in early they could not be completed. They consist of rough rubble and chunam masonry, built by the convicts, and certainly appeared excessively strong. I was surprised myself at their failure, as also was the officer in charge of the convicts, Captain Ker, who has had some experience in this sort of work with convicts. From personal observation during heavy rain, I arrived at the conclusion that by far too much waterway had been allowed, and if dry stone drains had been erected they would sooner have been completed, and would not have suffered so much. The damage I place in some cases to the foundations, which I do not think had been excavated quite on the level, but generally to their unfinished state and the early setting-in of the rains. Such damage as has occurred will be repaired in the current month.

4. *From Urgay to Ahmedhully.*—On this I am at a loss to understand what reports have reached you. The road consists entirely of flat country, some portions embanked and portions on the level of the ground. I do not think the embankment is high enough in some portions, but really cannot say that damage has occurred; the whole distance has been partially moorumed, but no drains are built, merely crosscuts left for the water to pass off. The water coursing along the side of the road and passing off by these crosscuts have of course not entirely left the new embankment intact, but the damage has been so slight that it is not worth alluding to.

5. *From Ahmedhully to Aorsa.*—As far as the road passes over flat country, the same remarks as I have just given may apply to this road. There are two small ghauts, however, which have inconsiderably suffered from landslips; here, again, the road has not given way; and the slips from above were repaired and cleared away as they occurred.

6. *From Aorsa to junction of Ankola Road.*—I have not yet received my assistant's report upon this portion; up to the end of July it was uninjured, and I do not think can have suffered during the past month. The soil here is harder and the ground higher than the rest of the Beitkul and Ankola Road, and it was moreover, I believe, first constructed. I expect to hear shortly from Mr. Konig, but feel satisfied his report will be satisfactory, and should it not be so I will of course report the matter to you.

7. *Hydergur Branch, Konay to Sejwarra.*—This has been in progress during the rains, and is now nearly completed, in a moorumed embankment 18 feet wide; no damage has occurred here at all.

8. *Sejwarra to Ahmedhully.*—On this, which consists entirely of the road over the Hydergur Ghaut, no damage has occurred at all. A party of 10 men have been employed constantly moving over it and working here and there to keep it in good order.

I have, &c.

(signed) *J. R. Maunsell,* Captain R. E.,
Acting Ex. Engineer, North Canara.

No. 1854 of 1863.—Public Works Department.

ROADS—NORTH CANARA.—BEITKOOL to AHMEDHULLY.

Bombay Castle, 24 September 1863.

MEMORANDUM from the Superintending Engineer, Southern Division, No. 4983, dated 11th September 1863.

Submits a letter from the Executive Engineer, North Canara, reporting on the state of the road from Beitkool to Ahmedhully.

Resolution.—1. Captain Maunsell should be told that Government consider this report satisfactory.

2. Copies of Captain Maunsell's letter should be sent to the Collector of North Canara, and also to the Secretary of State for India.

(signed) *H. Rivers*, Lieutenant Colonel, R. E.,
Secretary to Government.

To The Revenue Commissioner, S. D.
The Superintending Engineer, S. D.
The Collector of North Canara.

— No. 12. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

14 October (No. 49) 1863.

IN continuation of our Despatch No. 43, dated 24th September 1863, we beg to forward herewith a progress report of works in North Canara for the month of August 1863, which we consider satisfactory.

We have, &c.

(signed) *H. B. E. Frere.*
W. R. Mansfield.
W. E. Frere.
J. D. Inverarity.

Enclosure in No. 12.

No. 2471 of 1863.—Public Works Department.

Office of Executive Engineer, North Canara,
Sedashegur, 9 September 1863.

Sir,

I HAVE the honour to forward the monthly reports for August of works in progress here in the following order:—

1. *Beitkul and Ankola Road.*—The ghât commencing this road and rising from the storeyard at Beitkul has been widened out in several places; large masses of stone, fallen during the rains, have been removed off the road, and the projecting rocky portions blasted away. The damage done to the embankment across the Bhingy Flat has been repaired, and moorum laid along more than half the distance. Blasting rock and cutting laterite for the culverts has progressed; the sides of the high embankment on the south of the ghât have been turfed; a tramway for the collection of rubble, and laterite for the drains, and for metalling this portion has been commenced.

Upon the Urgay Ghât the work during the past month has been widening out the road to its full width, removing landslips which occurred during the rains, cutting side-gutters, and laying down a foot of moorum where the subsoil of the ghât is soft.

Upon the flat between Urgay and Chundia, 492 running feet of roadway have been moorumed, 21 feet in width by 1 in depth; there still remains rather more than a mile to complete this portion. Four laterite drains—three of two openings, each two feet span, and one of one opening (same span)—have been completed. From Chundia towards Ankola the coolies have increased during the month; and a fair amount of work has been done, chiefly in mooruming. The Herwada Ghât and other portions damaged by the rains have been repaired; upon this portion of the road a little more than a mile still remains to be moorumed. Carts have not yet returned to work here, but they are daily expected to do so; six culverts have been built, and two are under construction.

Upon the Bellikerry Bridge the rains have precluded any work being done; an increase to the force of masons is daily looked for, when work will be resumed.

Upon the Arbyle and Ankol Road the number of coolies has also increased, and a good deal of repairs have been done. The portion from the junction of the Beitkul and Ankola Road is now under repair; six tunnels are under construction.

Upon

Upon this road, during the past month, the average daily labour has been 2,729 coolies, 353 convicts, 41 sappers, 45 masons, and 7 carts.

2. *Konay to Ahmedhully.*—One thousand eight hundred and six running feet of roadway between Konay and Seswada have been completely moorumed, 18 feet wide and 1 foot in depth; there still remains about 800 running feet of roadway to complete this portion.

A small portion of this road, threatened during the rains, has been scoured by dry stone retaining wall.

The remaining portion of this road consists of the Hydurgur Ghât, which has been maintained during the rains passable for traffic, and is now in very good order.

3. *Road from Beitkul to Konay—Wharf Road.*—This work has progressed very satisfactorily. The whole of the spaces between Pier Point and the Manchester Company's Pier have been filled in. A rough substantial wall circling the cove between the above-named points has been completed. The mooruming of the Alleguddy Embankment has been widened out by six additional feet; and one-half of it has been metalled. The metalling of the whole road to the width of 24 feet is in progress, and will be completed by the end of this month. The average amount of labour employed has been 55 coolies, 80 drillers, 30 sappers, and 215 prisoners.

At the permanent bridge at Konay the inclement weather prevented recommencement of work till late in the month. Twelve piles have been driven, and a quantity of rubble masonry collected for the south abutment. The temporary bridge has some time since been completed, and is in very good order.

4. *Wharf Wall.*—Dressing stones for the coping course of the wall, conveying stones to the site, and continuing the filling-in in rear of the wharf-wall has progressed during the month; raising the roadway by embankment along the existing portion has been carried on; the daily labour employed has been 29 stone-dressers, 29 coolies, and 60 convicts.

Lighthouse.—The monsoon has not permitted work to be carried on during the past month here. In the course of a week I hope to recommence work, and it will not take long to finish the building.

It is with much satisfaction I am able to report that a party of coolies are now working at Beitkul by contract. I hope by the end of September 500 more may be at work, and the system gradually introduced throughout the district.

I have, &c.
(signed) *J. R. Maunsell*, Captain,
Acting Ex.-Engineer, North Canara.

To the Superintending Engineer,
Southern Circle.

— No. 13. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

4 November (No. 53) 1863.

WITH reference to your Despatch No. 6, dated the 26th February 1863, para. 4, and to previous correspondence on the same subject, we have the honour to inform you that in June last we received from Mr. Mason, the Chairman of the Manchester Cotton Company, a letter proposing to make over to us the Company's jetty at Carwar, and handing us a statement purporting to show in detail the cost of that work, amounting to a total of 4,500 rupees.

2. From the estimate of our engineer, a copy of which is attached, it appears that he values this jetty at 1,153 rupees only; and though this estimate is perhaps too low, there is little doubt that the amount of compensation claimed, (4,500 rupees) is an extremely high estimate of the value of the work, which, on a liberal calculation, could probably be built by our Public Works Department for 2,500 rupees.

3. We have not, however, thought worth while to make any objection on the score of the charge made, for we consider it better to pay the amount demanded, and thereby put an end to all further discussion on the matter. We have therefore directed the amount to be paid to the agents of the Company.

We have, &c.
(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Enclosure in No. 13.

ESTIMATE of the Cost of Constructing a Pier, 30 feet long by 20 broad, similar to the one built by the Manchester Cotton Company, at South Allyguddy, under like advantages—viz., permission to use the stones lying along the Wharf Road, together with its approach of a few feet in length from Road to Pier.

Number or Quantity.		Amount.		
		Rs.	*a.*	*p.*
1,976	Cubic feet of rough stone walling, without mortar, laid in randoin courses, at 5 annas per 100 cubic feet - -	98	12	10
5,824	Cubic feet of excavating and filling in with decomposed rock, at *Rs.* 1. 10. per 100 cubic feet - - - -	94	10	3
274	Cubic feet of cut junglewood for fenders and boarding, at 12 annas per cubic foot - - - - - -	205	8	0
	Approach to Pier from Wharf Road.			
3,024	Cubic feet excavating and filling in of hard soil, at 11 annas per 100 cubic feet - - - - - -	20	12	7
336	Cubic feet dry stone walling, at 4 rupees per 100 cubic feet	13	7	0
¾	Cwt. iron nails, 5 inches long, at *Rs.* 10. 12. 9. per cwt. -	8	1	6
30	Carpenters, at 8 annas each - - - - - - -	15	0	0
4	Masons - - - - - - - - - -	4	0	0
4	Candies, lime and mortar - - - - - -	2	12	0
2	Shear legs, with caps, shoes - - - - - -	250	0	0
	Coir rope and blocks - - - - - - -	180	0	0
	Cost of fixing shares - - - - - - -	23	0	0
	Wooden staircase - - - - - - - -	30	0	0
	Share of superintendence of Captain Searle, and 1 sapper serjeant, for one month - - - - - -	207	0	0
	TOTAL - - -	1,153	0	2

(signed) *J. R. Maunsell*, Captain R. E.,
Acting Ex.-Engineer, North Canara.

— No. 14. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

27 November (No. 60) 1863.

A LETTER published at page 1304 of the "Cotton Supply Reporter," dated 1st September 1863, purporting to be a report from an eyewitness, to Mr. Hugh Mason, on the state of some of the principal roads in North Canara, having come under our observation, we forwarded a copy to Mr. Shaw Stewart, the Collector of Canara for his report, and now have the honour to transmit his reply.

2. This communication places the matter in a very clear light, and shows in juxtaposition the opinion of Mr. Mason's informant, of Mr. Shaw Stewart, and of Captain Macpherson, an officer belonging to the wing of the 24th Native Infantry stationed at Karwar, who is quite unconnected with the district, and may therefore be considered an impartial witness.

3. Captain Macpherson travelled from Dharwar to Karwar at the close of the last monsoon, and his experience is a good illustration of the real state of the question as it affects these roads, and of the misapprehension that exists regarding them in some quarters. Before starting he is told that they are "very bad," but on using them he is agreeably surprised to find them "quite the reverse," and he drove his dogcart the whole distance with little or no difficulty.

4. Mr.

4. Mr. Stewart (who is a very close and critical observer) points out, however, hat metal throughout and some few bridges are still wanted to render the roads adequate to bear continuous and heavy traffic; and the testimony of Lieutenant Colonel Scott, the superintending engineer, who has lately inspected them, is to the same effect.

5. Metal and a few bridges, it is quite true, have still to be supplied, and every effort has been and is being made to provide them, but hitherto, owing to causes beyond control, without complete success. It is also true that, in their present condition, these roads are quite practicable for cotton traffic during that part of the year when cotton is likely to come to the coast, and that they are at least as good as their prolongations above the ghauts, regarding which no complaints are made.

6. The case may very simply be stated in this way. If by a road is understood a great trunkroad with a hard metalled surface, with every river and stream bridged, so that a mail-coach can be driven at 9 or 10 miles an hour, then these communications are certainly not yet roads, though they are in process of becoming so as rapidly as the state of the labour market will admit of.

7. But if by a road is meant a communication offering no real impediment to the ordinary cotton cart, and along which a gentleman can, with a little care, drive his curricle or dogcart at a moderate speed, then it is impossible for any impartial observer to deny that they are roads quite as good as could be looked for in a forest tract where, till these roads were commenced, no wheeled vehicle was ever seen, and where, owing to the density of the jungle, and the total absence of permanent population in parts, it is difficult to keep workpeople together.

8. We have reason to believe that whenever the Manchester Cotton Company, or any other firm, have cotton to bring down to the coast, are ready to receive it at Karwar, and really desire to deliver it there, they will find no difficulty in doing so as far as the state of the roads is concerned.

We have, &c.
(signed) *H. B. E. Frere.*
W. E. Frere.
J. D. Inverarity.

Enclosure 1, in No. 14.

LETTER and REPORT referred to in the foregoing Despatch.

From the "Cotton Supply Reporter" of 1st September 1863.

PROGRESS OF ROADS IN INDIA.

To the Editor of the "Cotton Supply Reporter."

Sir,

ON the 17th instant the public journals contained an abstract of a report, issued by the Indian Government on the progress of roads, wherein it is stated, with regard to the Presidency of Bombay, "that a sum of 70,000*l.* had been expended, since the 1st of May 1861, in opening out roads to the cotton districts."

Sir Charles Wood, when addressing his constituents at Halifax, on the 13th January last, said: "With regard to the roads, they were constructed in April last (1862), and were passable; and that for all practical purposes, at least one, if not two, good roads would be open long before the first cartload of the new cotton crop could be expected to arrive."

Lord De Grey and Ripon, when Under Secretary for India, addressed the Cotton Supply Association, on 7th June 1861, in the following terms:—

"The whole line of road may be regarded as consisting of three divisions, namely:—From Hooblee to Sunguttekop, from Sunguttekop to Iddagoonjee, and from Iddagoonjee to Sedashegur. Along the first of these portions a road has been for some time cleared, but a good deal is still required to make it capable of bearing much traffic. The Bombay Government hope to have it put in working order in the course of the present year.

"The road from Sunguttekop to Iddagoonjee has also been cleared, but is far from being in good condition. A body of convicts were to be sent immediately to improve it.

"The third portion, from Iddagoonjee westward, will cross the Kygah. A fair-weather road is now being made along the whole distance from Iddagoonjee to Sedashegur."

Having given you these statements from high governmental authorities, I now beg your serious attention to the following report, received by the last mail, from a gentleman who has long resided in India, and who has twice in this year traversed the "road" (?) between Sedashegur and the cotton district of Dharwar. The reader will please to bear in mind that the report is written two years later than the date of Lord De Grey's letter to the Cotton Supply Association.

I am, &c.

Manchester, 28 August 1863. (signed) *Hugh Mason.*

REPORT to *Hugh Mason*, Esq., Chairman, Manchester Cotton Company (Limited).

Beitkul, North Canara, 16 July 1863.

The New Road.—As I have just come down from Hooblee, I will lay before you the state of this road as I found it myself. This new road is made up with four roads, made at various times and for various purposes. I enclose a sketch showing the distinctions. 1. The black line from Hooblee to Kirwattee is called the Bombay Road, and made by the Dharwar engineers. 2. The blue line is the Arbyle Road, leading to Comptah and Tuddry, and was made by the Canara engineers about ten years ago. 3. The green line is the Ankola Road, and was made as a junction to the above road by the tassildar, or native collector. 4. The red line is the new road now making.

From Hooblee to Yellapore I travelled in a bandy with two pair of buffaloes, and three relays, but the mud in the whole road was so deep that I scarcely progressed two miles per hour. This road is a new road, and in dry weather very good.

Between Kirwattee and Yellapore, however, the road is so bad even in dry weather that cartmen avoid it by detours through the jungle. I remember it so for six years.

From Yellapore to Iddagoonjee the road is decent; near the latter place a small brick bridge has been finished, and the roadway made to the bridge, but not on top of the bridge. There is, consequently, a pool of water collected on the bridge, the pressure of which will destroy the arch, and the bridge will tumble down. There is nobody to look after such things, and failures are generally attributable to nobody.

From Iddagoonjee to Arbyle we have the actual ghât leading into the low country. This road has been neglected for years: and as the drainage was never completed, nor the existing one kept in order, I found streams of water running now through the middle and now on the sides of the road, washing good soil away, and making furrows everywhere. This bit of road is the easiest kept in order; there are no rocks, and the best roadsoil is everywhere at hand.

From Arbyle to Hebool the road passes mostly over hills, and some of them steep ones. This road, with a very few exceptions, is a disgrace. All the good soil is washed away, and for miles we have mostly sharp small stones on the road, which make it scarcely possible for bullocks to travel over: for miles no drains, and where there are they are choked with soil and leaves; on the road a stream, from 2 ft. to 4 ft. in breadth, carrying hundreds of tons of still-remaining good road-covering away. It is really a pity that, on account of no supervision, and the employment of a few coolies, who would at least put the drains in order, and more or less regulate the watercourses, that the labour and the heavy expenditure of past years should mercilessly be washed away. This road alone, if it is to be made available for beasts, will take a few months to repair, and a few years to make it what it ought to be.

From Hebool to Ankola.—This road has never been much used, and is therefore tolerably well preserved, but it will take little to convert it into a bad road. On this line I had to cross about eight rivers or streams, two of which were large ones. Here is, therefore, a good deal to be done before we can say "ready," except we are made to dive with our carts and bullocks every now and then into the stony bed of a nullah when it is dry, and made to wait, when it is full of water, till it is dry. On one occasion, and only a few days ago, near Axoor, I was under the necessity of throwing my horse into a rapid stream, chancing whether it would reach the other shore, or be smashed on the projecting rocks and trees. The drainage on this road is also sadly neglected.

From Ankola to Beitkul.—As far as Oursee the road is pretty good; several large culverts are wanted. At Oursee there was to be a bridge ready by the 1st March 1863, with 210 feet waterway, in seven bays of 30 feet each. Of this bridge I saw nothing, but on each shore an abutment carried up halfway. From here the road passes again over hilly ground with defective drainage, which allows the road to be cut up by the rains. What is the use of making eight-inch-wide drains? In the low country, again, we have a sand embankment, which is being covered with roadsoil; in many places this is ready and forms a good road, but in more than a hundred places the road has been broken through by the water, showing that we want yet a great many culverts and bridges made. Towards Beitkul, on the rising ground, there are about six new bridges, with rubblestone abutments

in

in masonry; most of these bridges have already either fallen in or lost a wing, or are otherwise unsafe, and it appears they were altogether faultily constructed, and will have to be made anew. After these bridges we came to another one, with the approaches washed away; and so, after a continual dip into the water, or a passage over hard sharp little and big stones, we came to Beitkul, where the engineers have nothing to do but to continually repair what is falling in or on the brink of doing so. Good stuff is continually thrown after bad—good money after bad; and when the expenditure has reached its climax, I fear we shall not only get no more money, but be still without the essential thing—a good road. Fancy building a seawall which the first burst of the monsoon carried away! Fancy making the facing of the Aleguddy Road with nothing but soil and sand! Now they throw baskets in front of this road, and fill them with mud. The short of the whole of the above is that we have no road. The question now is, When may we expect to see the road really opened for traffic? There are various opinions, as different people have different views. Those who let carts nearly disappear in mud, or the bullocks' feet be cut open by pebbles and other sharp stones; those that do not care whether the road is ploughed in deep furrows by the rains and the inefficient state of the drains, or whether you tumble every now and then into an open drain, or drag your cart with difficulty through the stony bed of a dry nullah, or span any opening (instead of with piers and planks) with but common sticks which endanger the legs of man and beast; those, I say, see—nay, have already seen—this our road open, and will at any time see a road open, even under the most disgraceful circumstances; and those, I am sorry to say, are the people who have to make our roads. I do not want a first-class road. I know it is impossible to make one just now. But I want a road even, and with soil on top of it, with temporary but substantially-built bridges, with all the culverts made, all the crossdrains covered, and all the side-drains cut deep and broad. A road passable; also in the monsoon there must be no impediment. I do not know what force the department is going to put on the road after the monsoon; but if the engineers work at the rate they have worked hitherto, and with the same ability and energy, I think I am not justified to believe in a road till the end of December. The engineers might do the line from here to Ankola sooner, and utterly neglect the repairs to the other parts; this would simply complicate our difficulties with the cartmen, enhance the price of cart-hire, and result in total destruction of the unrepaired part of the road.

Enclosure 2, in No. 14.

(No. 1808 of 1863).

From *M. J. Shaw Stewart*, Esq., Collector of North Canara, to *J. Richey*, Esq., Officiating Under Secretary to Government, Revenue Department, Bombay.

North Canara Collector's Office, Carwar,
23 October 1863.

Sir,

I HAVE to acknowledge the receipt of your Letter No. 3634, of the 17th instant, requesting me to report the present state of the roads referred to in a letter published at page 1304 of the "Cotton Supply Reporter" of the 1st September 1863.

2. Part of the road (that from Hooblee to Kirwutty) is not in my district, and I have never seen it, nor have I seen the road from Yellapoor *viâ* Arbyle Ghaut to Hebsal (not Hebool, as printed) and Ankola since last March. The portion of the road from Ankola to (Beitkul) Carwar I know well. If I were to wait till I had visited the line from Hooblee to Ankola I should not be able to furnish an early report, as I could not leave Carwar at present, there being no superintendent, and no justice of the peace to carry on the necessary duties here.

3. I am able, however, to give a very reliable account of the state of the road, as Captain Macpherson, of Her Majesty's 24th Regiment, passed along great part of it the other day in a dogcart. Before leaving Dharwar he heard that the road was a very bad one, and was agreeably surprised to find it quite the reverse. Captain Macpherson travelled by Kulghutgeh, whereas the writer of the letter to the "Cotton Supply Reporter" (Mr. Theodore Kleinknecht, I believe) travelled from Hooblee direct to Kirwutty. The two roads join about four miles on this side of Kulghutgeh, so that, with the exception of the first 18 or 20 miles, the remarks of both gentlemen apply to one and the same line of road. I beg to place their opinion and the result of my own observation in parallel columns:—

Kulghutgeh to Yellapoor.

Mr. *Kleinknecht.*	Captain *Macpherson.*	
The road is so bad, even in dry weather, that cartmen avoid it by detours through the jungle.	The road is a new and pucka one, though a little rough in places from rain.	My own observation in last April leads me to suppose that the road from Kirwutty to Yellapoor must be quite as bad in the rains as Mr. Kleinknecht reports it to be; it may have hardened when Captain Macpherson travelled along it; it would be quite destroyed with any extensive traffic in a week, and is a very important link in the line of communication with Carwar, which should be very carefully looked after.

Yellapoor to Arbyle (down the Ghaut).

The road is decent to Iddagoonjee; the actual ghaut descent has been neglected for years, and the drainage incomplete.	Down the ghaut the road is first rate.	The road was certainly very good for light traffic in April; but I can fancy its being in the state Mr. Kleinknecht describes during the rains. It has never been made for heavy constant traffic.

Arbyle to Hebsal.

This road is a disgrace, and will take years to make it what it ought to be—a stream, four feet wide, carrrying away hundreds of tons good moorum.	Captain Macpherson does not notice any of the effects to be expected from the destructive process described by Mr. Kleinknecht. He drove his dogcart the whole way without any difficulty.	In April last I observed little or no difference between the state of this road and the rest of the line.

Hebsal to Ankola.

Tolerably well preserved, but had to cross eight streams (unbridged), two of them large ones.	Captain Macpherson does not notice these streams.	The want of bridged streams noted is doubtless to be regretted, but as they are dry in the hot weather, the wants has not been much felt hitherto; they should be bridged this year.

Ankola to Oursee.

Pretty good, but Oursa Bridge still unfinished.	First rate.	This road is very good, but wants thorough metalling before it will stand heavy traffic.

Oursa to Beitkul.

No road.	The only bad part is between Ahmedully and Urgy, where drains are being built across the road.	Great progress has been made since July, but there is still much to be done.

Beitkul.

Nothing but repairing what is falling in.	No remark.	The roads at Beitkul are now assuming a much more substantial appearance, but it remains to be seen whether the seawall will stand another monsoon, or a strong north-west gale.

4. I would briefly summarize my opinion on the present state of this road by saying, that I believe from the Dharwar Frontier to Yellapoor, much remains to be done to prevent complete stoppage of traffic if a large number of carts travels along it; that metalling must be freely applied, both there and on the portion from Yellapoor to Carwar; and that not one of the 12 or 15 considerable streams which the road crosses from Carwar to the frontier of North Canara beyond Kirwutty has been substantially bridged. I think the attention of the Public Works Department should be specially directed to the portion of the road from Kirwutty to Yellapoor.

5. I have

5. I have forwarded copy of your letter and the enclosure to the Collector of Dharwar, with a suggestion that he should furnish a report on the present state of the road from Hooblee to the Dharwar Frontier, and I have requested Mr. Reed to return the enclosure to you.

I have, &c.
(signed) *M. J. Shaw Stewart,*
Collector, North Canara.

— No. 15. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 9 February (No. 5) 1864.

Para. 1. I HAVE to acknowledge the receipt of your letters, dated (No. 49) 14th October, (No. 53) 4th November, and (No 59) 27th November 1863, reporting on the progress of the works at Carwar, and elsewhere in North Canara.

2. Your resolution to sanction the payment of the sum demanded by the Manchester Cotton Company for their jetty at Carwar will, as you observe, have the good effect of preventing further discussion in the matter.

(signed) *C. Wood.*

— No. 16. —

PUBLIC WORKS DESPATCH from the Bombay Government to the Secretary of State for India.

12 January (No. 1) 1864.

WE beg to forward herewith, for your information, copy of a communication from the Acting Executive Engineer, Canara, dated 21st December 1863, reporting that there is now no impediment whatever to cart traffic from Sunguteekope, on the Dharwar frontier, to the wharf at Beitkul *viâ* the Arbyle Ghaut and new Beitkul and Ankola Road.

2. We consider this report to be extremely satisfactory; and it is only due to Captain Goodfellow's predecessors that they should have their share of the credit, though the results of their labours have only now been fully apparent.

We have, &c.
(signed) *H. B. E. Frere.*
W. R. Mansfield.
W. E. Frere.
J. D. Inverarity.

Enclosure in No. 16.

(No. 3480 of 1863)—Public Works Department.

To the Superintending Engineer, Southern Division.

Executive Engineer's Office, Carwar,
Sir, 21 December 1863.

REFERRING to your Memorandum No. 6447, dated 16th ultimo, and 2d and 12th paragraphs of Government Resolution No. 2246 of 1863, I have the honour to report that there is now no impediment whatever to cart traffic from Sunguteekope, on the Dharwar frontier, to the wharf at Beitkul *viâ* the Arbyle Ghaut and new Beitkul and Ankola Road.

2. In justice to my predecessors it is right I should add that but little work remained to render the communication complete when I assumed executive charge of the district.

3. To prevent any misunderstanding I would respectfully suggest the advisability of making known by notices in the town of Hooblee and through the Dharwar Collectorate

generally, the fact of the new road being open for traffic, with a good wharf at Beitkul alongside of which ordinary pattimars and coasting craft of 200 candies and under are now being unloaded at all stages of the tide.

4. Pattimars of all sizes are daily running into Beitkul Cove with stores; these vessels invariably go on to Coompta for a cargo of cotton, and will doubtless make favourable reports; but just at present the interests of the residents of Coompta are manifestly opposed to the cotton traffic being transferred from the Devamunny to the Arbyle Ghaut. The somewhat exaggerated rumours of prevailing sickness on the Arbyle line have likewise to be met; still every endeavour should, I think, be made to bring the new road into use, and I willingly accept the responsibility of maintaining efficient communication with the Dharwar district, *viâ* the Arbyle Ghaut, till the middle of June next.

I have, &c.
(signed) *W. W. Goodfellow*, Captain R.E.,
Acting Ex. Engineer, Canara.

— No. 17. —

PUBLIC WORKS DESPATCH from the Secretary of State to the Government of Bombay, dated 3 March (No. 9) 1864.

Para. 1. YOUR Excellency's Despatch, No. 1, of 12th January last, contains the important intelligence that there is now no impediment whatever to the passage of cart traffic, by way of the Arbyle Ghaut, from the Dharwar frontier to Beitkul, where, moreover, there is now a good wharf, at which pattimars and other coasting craft may be unloaded at all times of the tide.

2. The suggestion of Captain Goodfellow, the engineer in charge, that notices of the opening of the new road should be posted up in Hooblee, and at other places in the Dharwar Collectorate, has, I presume, been acted upon. It is very desirable that the trading community should avail themselves as early as possible of the advantages offered by the new port of Carwar for the shipment of cotton.

(signed) *C. Wood.*

EAST INDIA (SEDASHEGUR HARBOUR).

COPY of further CORRESPONDENCE relative to the HARBOUR of CARWAR (SEDASHEGUR), and ROADS leading thereto.

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed*,
4 *March* 1864.

Under 8 *oz.*

TELEGRAPHS (INDIA, SINGAPORE, AND AUSTRALIA).

RETURN to an Address of the Honourable The House of Commons, dated 10 July 1863;—*for*,

"COPY of CORRESPONDENCE and PAPERS relating to the Establishment of TELEGRAPHIC COMMUNICATION between *India*, *Singapore*, and *Australia*, since the 5th day of July 1860 (in continuation of Papers printed in the Appendix to the Third Report from the Select Committee on Packet and Telegraphic Contracts)."

India Office,
4 February 1864.

W. T. THORNTON,
Secretary Public Works Department.

(*Mr. Crawford.*)

Ordered, by The House of Commons, *to be Printed*,
8 *February* 1864.

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AUSTRALIA AND CHINA TELEGRAPH.

Lines Proposed or in Progress (1859)
Lines Existing (1859)

Dutch Line extends from Singapore to E. Java 1160 nautical miles
Colonial Line extends from Moreton Bay to East Java 3024 „ „
MEMO: The distances are in nautical miles for Submarine Lines and in Statute miles for Land Lines.

CALCUTTA
Cuttack
Pegue
Rangoon
Moulmyne
SIAM
COCHIN CHINA
Tennasserim
Mergui
MALAIA
Penang
Straits of Malacca
Singapore
SUMATRA
Palembang
Banca
JAVA SEA
Batavia
JAVA
C. Sedano
Banjoewangie
CANTON
Hong Kong
Manilla
LUZON
MINDANAO
Labuan
BORNEO
Sarawak
CELEBES
TIMOR
Coepang
Port Essington
PAPUA OR NEW GUINEA
TORRES STRAITS
C. York
Cleveland Bay
QUEENSLAND
Port Curtis
Moreton Bay
AUSTRALIA
SOUTH AUSTRALIA
WESTERN AUSTRALIA
NEW SOUTH WALES
Perth
Albany
ADELAIDE
VICTORIA
MELBOURNE
Geelong
SYDNEY
TASMANIA
Hobart Town

400 360 430 370 660 680 590 525 635 619 655 619

90° 100° 110° 120° 130° 140° 150°
20° 10° 0° 10° 20° 30° 40°

Nº 22. Ordered, by the House of Commons, to be printed. 8. Feby 1864.

COPY of CORRESPONDENCE and PAPERS relating to the Establishment of TELEGRAPHIC COMMUNICATION between *India*, *Singapore*, and *Australia*, since the 5th day of July 1860 (in continuation of Papers printed in the Appendix to the Third Report from the Select Committee on Packet and Telegraphic Contracts).

— No. 1. —

Mr. *F. Gisborne* to the Secretary of State for India.

6, Duke-street, Adelphi, W.C.,
30 October 1860.

Sir,

I HAVE lately returned from Australia, where I proceeded, on behalf of the promoters of the Anglo-Australian Telegraph, to induce the Colonies to extend financial assistance to a submarine line of telegraph from Java, by way of the Northern and Eastern coasts of Australia, towards Sydney.

This line would, in connexion with the existing Dutch and British lines, nearly complete telegraph communication between Australia and England.

Several of the Colonies have voted subsidies already amounting to 23,000 *l.* a year, and further steps are being taken to complete the amount to 35,000 *l.*, and to set the undertaking on foot.

It is evident, however, that no progress will be really made until I am in a position to represent to the Colonial authorities either that immediate steps will be taken to repair or relay the Red Sea and Indian cable, which has now been many months out of repair, or that the proposed land line from Constantinople to Bagdad and Bussora is in a forward state, and likely to be completed and maintained, and that the proposed sea line from Bussora to Kurrachee will also be laid.

The proposed Australian line will immensely increase the importance and remunerative character of our telegraphs to India, and I feel assured, sir, that you will aid the promoters of the former by giving us the amplest and most definite information in your possession concerning the establishment of the telegraphs *viâ* the Red Sea and Asia Minor.

You will observe, sir, that I require the information for communication to Australia as well as for the guidance of the promoters in England.

I beg to enclose a tracing of the Australian line.

I have, &c.
(signed) *F. Gisborne.*

The Right Honourable
Sir Charles Wood, Bart., G.C.B.,
Secretary of State for India,
&c. &c. &c.

— No. 2. —

The Under Secretary of State for India to Mr. *F. Gisborne.*

India Office, 9 November 1860.

Sir,

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of your letter, dated the 30th ultimo, and in reply to inform you that an officer is about to proceed, on behalf of Her Majesty's Government, to inspect the line of telegraph which is being established by the Turkish Government from Constantinople to Baghdad: that if the report of this officer on the state of the

works is satisfactory, it is intended that the line from Baghdad to Bussorah shall be laid down under the supervision of British officers, and that measures be taken to continue the line by way of the Persian Gulf to Kurrachee.

With regard to the Red Sea line, I am instructed to inform you that, as at present advised, Her Majesty's Government do not consider it advisable to sanction the expenditure of any further public money in attempts to repair it.

I am, &c.

F. Gisborne, Esq. (signed) *Herman Merivale.*

— No. 3. —

The Under Secretary of State for India to Mr. *G. A. Hamilton.*

Sir, India Office, 13 December 1860.

I AM instructed by the Secretary of State for India in Council to remark that, from the information which has reached Sir Charles Wood, it seems very doubtful whether it will be possible to despatch with safety and advantage the cable destined for Rangoon and Singapore in time to admit of its being laid before the next monsoon. If this should prove to be the case, it seems to him to be desirable, with reference to the great outlay which would be involved in further attempts to secure it from danger, as well as in demurrage and other charges, to consider whether this cable might not be applied to some other purpose. If it could be applied to any purpose nearer home, it might be laid down at once with little comparative risk.

I am, &c.

G. A. Hamilton, Esq. (signed) *Herman Merivale.*

— No. 4. —

Mr. *W. H. Stephenson* to the Under Secretary of State for India.

Sir, Treasury Chambers, 19 December 1860.

I AM desired by the Lords Commissioners of Her Majesty's Treasury to state, for the information of the Secretary of State for India in Council, with reference to your letter of the 13th instant, that my Lords have had under consideration the question of the use to be made of the Rangoon and Singapore cable, and, under the circumstances which have recently occurred, are of opinion that it could be applied to no better purpose than the establishing of a line between Malta and Alexandria; and they have accordingly authorised the Board of Trade to make arrangements for the purpose with Messrs. Glass & Elliot, upon the condition that no expenses shall be incurred by Her Majesty's Government beyond those to which they are liable under the terms of the existing contract.

As regards the landing of the cable at Alexandria, which could only be done with the consent of the Turkish Government, my Lords have communicated with Lord John Russell, with a view to such consent being obtained.

I am, &c.

The Under Secretary for India. (signed) *W. H. Stephenson.*

— No. 5. —

EXTRACT LETTER from the Under Secretary of State for India to Mr. *W. H. Stephenson.*

Sir, India Office, 20 December 1860.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 19th instant, and to acquaint you in reply that Sir Charles Wood fully concurs with the Lords Commissioners of the Treasury in the expediency of employing the Rangoon and Singapore cable for the establishment of telegraphic communication between Malta and Alexandria.

— No. 6.—

Mr. *T. F. Elliot* to Mr. *G. A. Hamilton.*

Sir, Downing-street, 29 December 1860.

WITH reference to Mr. Merivale's letter of the 11th October 1858, I am directed by the Duke of Newcastle to transmit to you, for the consideration of the Lords Commissioners of the Treasury, the copy of a despatch from the Governor of Victoria relative to the establishment of telegraphic communication between Europe and Australia, with a view to request the co-operation of the Imperial Government in carrying out this work. *No. 92—24 Sept. 1860.*

I am also to enclose copies of two letters from Mr. Francis Gisborne, who has been acting as agent for the promoters of a scheme for this purpose, *viâ* Java and Moreton Bay. *17 August 1860. 23 Nov. 1860.*

I am, &c.

G. A. Hamilton, Esq. (signed) *T. F. Elliot.*

Enclosure 1, in No. 6.

COPY of a DESPATCH from Governor Sir *H. Barkly* to the Duke of *Newcastle.*

(Victoria.—No. 92.)

Government Offices, Melbourne,

My Lord Duke, 24 September 1860.

I HAVE the honour, at the instance of my advisers, to enclose copies of all correspondence relating to the establishment of telegraphic communication between Europe and Australia, with a view to request the co-operation of the Imperial Government in carrying out this work. *Enclosure A.*

When I last adverted to this subject, I hazarded an opinion that the difficulties which Mr. Francis Gisborne, as agent for the promoters of a scheme for the purpose by way of Java and Moreton Bay, had encountered, in getting the various Colonies to come to an understanding, were the less to be regretted, as time would thereby be afforded to complete the other sections of the proposed line, and to test, by further experience, whether it answered better to carry the submarine cable along the coasts in shallow water, as proposed, or to lay it in the deep sea. *Despatch No. 92, of 12 Oct. 1859.*

Since that period two fresh links in the chain have been added, namely, from Aden to Kurrachee, and from Singapore to Batavia, leaving only the link between Tenasserim and Singapore to be completed; but I fear, on the other hand, that it is still as doubtful as it was a twelvemonth ago, whether deep or shallow lines are best, although the perpetual interruption in both those mentioned, as well as in the Red Sea line, certainly does not tend to establish the superiority of the latter system.

The question, however, of extending the electric telegraph from Java to the east coast of Australia, has in the meantime been so far advanced by Mr. Gisborne's efforts, that it may be considered as settled, except in so far as the details are concerned.

At one moment it even seemed probable, that before his return to England, a basis of pecuniary guarantee might have been arranged, under which a contract might have been signed, and the requisite capital raised; for his negotiations with the Government of New South Wales resulted in the acceptance of his terms, and the promise of the Legislature of that Colony to vote 27½ per cent. of the annual subsidy of 35,000*l.*, provided this Colony would bind itself for the remaining 72½ per cent., a course to which my advisers raised no objection.

The Victorian Assembly, however, declined to sanction a guarantee of more than

13,000 *l.* per annum on behalf of this Colony, and seems to have done so on the ground that, like the postal service, it should be undertaken at the joint expense of the Colonies and the Mother Country.

Since the date of the resolutions come to by the House on the subject in May last, the Postmaster General has been engaged in a fruitless correspondence with the Governments of the neighbouring Colonies, with a view of inviting their concurrence in the course indicated therein; but, as will be perceived, no reply whatever has been received from Sydney to his repeated communications, whilst South Australia still awaits the result of the exploration of the great interior Desert, under the impression that a telegraph direct across the Continent will be found practicable. Under such circumstances my advisers have at length come to the conclusion that this Colony must be prepared, as in the case of the postal subsidy, to act for itself in the matter; and they have requested me to ascertain whether, if one half the amount of the annual payment necessary to secure the construction of the line be guaranteed by the Victorian Legislature, the Imperial Government will contribute the other.

Assured that your Grace will be disposed, as far as lies in your power, to promote an undertaking of such vast importance to the political, commercial, and domestic interests of this portion of the British empire,—

I have, &c.

His Grace the Duke of Newcastle, &c. &c. &c.

(signed) *Henry Barkly.*

Enclosure (A.) to Despatch No. 92, of 24th September 1860.

MEMORANDUM.

HEREWITH I have the honour to submit, for the information of your Excellency, copies of all the papers and correspondence relative to telegraphic communication with India and Europe, together with the resolutions authorised by the Legislative Assembly.

I beg to suggest that your Excellency will be pleased to bring the subject under the notice of the Imperial Government, and request its co-operation in terms of the resolutions.

The replies received from the other Australian Colonies and the total silence of New South Wales, leave little prospect of any scheme for telegraphic communication with India and Europe receiving adequate support by means of subsidies, if united action is deemed essential.

It would, however, be desirable, pending further action by the Government of Victoria, to obtain the views of the Imperial Government as to whether it would be prepared to aid by contribution or guarantee any scheme for the extension of the telegraph from India to some central port in Australia, in the event of this Colony guaranteeing, on behalf of itself and such other Colonies as may be willing to join in the project, a moiety of any sums that may be necessary to secure the construction of the line.

General Post Office,
22 September 1860.

(signed) *John R. Bailey.*

VICTORIA.

Chief Secretary's Office, Melbourne,
June 1860.

Sir,

I HAVE the honour to bring under your notice the enclosed copy of an address from the Legislative Assembly of Victoria to his Excellency Sir Henry Barkly, submitting certain resolutions of the House on the subject of the establishment of telegraphic communication with India and Europe, and I am to invite the concurrence of the Government of ——— in the views therein expressed.

One or two points in these resolutions may seem to require some explanation: in the first place, as regards the lowest tender, which it is affirmed should be accepted, what is intended to be conveyed is, the lowest which shall be satisfactory to the electricians who may be appointed to consider the tenders; and with reference to the limit of 13,000 *l.* fixed for the liability of this Colony, I would observe it is intended to cover the liabilities of the Colonies of Tasmania, South Australia, Western Australia, and Queensland, upon the basis of the proportions contributed to the postal subsidy; and in the event of such proportions being subscribed by the Colonies enumerated, such contributions are to be applied in reduction of the liability of Victoria as one of the chief contracting parties.

Should any of the matters referred to in these resolutions not meet the concurrence of your Government, I have to request that you will be good enough to communicate its views

views upon the subject generally as early as may be convenient, as it is desirable they should be known prior to the resolutions being forwarded to the Home Government.

I have, &c.

The Colonial Secretary, New South Wales.
The Chief Secretary, South Australia.
The Colonial Treasurer, Tasmania.
The Colonial Secretary, Queensland.
The Colonial Secretary, Western Australia.

SOUTH AUSTRALIA.

Chief Secretary's Office, Adelaide,
Sir, 28 June 1860.

HIS Excellency Sir R. G. M'Donnell desires me to acknowledge the receipt of your letter, dated June , enclosing copy of an address from the Legislative Assembly of Victoria, relative to the establishment of telegraphic communication between these Colonies and England, *viâ* India, and requesting the concurrence of this Government in the views therein expressed.

In reply, his Excellency desires me to intimate to you, that as soon as any definite proposal on the subject is laid before this Government, they will be prepared to deal with it on its own merits; but they cannot accede to the proposition made in your letter, as by so doing they would hamper their own freedom of action.

Such an arrangement seems especially undesirable at the present time, seeing that very shortly they will be made acquainted with the result of Mr. Stuart's attempt to cross the Continent to the North-westward.

They indulge the hope that the success of that gentleman's explorations will prove the practicability of carrying a line of telegraph direct across the Continent, which will obviate the necessity for adopting the less direct and more expensive line proposed by the Government of Victoria.

I have, &c.
The Honourable the Chief Secretary, Victoria. (signed) *G. M. Waterhouse*, Chief Secretary.

TASMANIA.

Colonial Treasury, Hobart Town,
Sir, 27 June 1860.

I HAVE the honour to acknowledge receipt of your letter of date June 1860, in which you bring under notice copy of an address from the Legislative Assembly of Victoria to his Excellency Sir Henry Barkly, submitting certain resolutions of the House on the subject of the establishment of telegraphic communication with India and Europe, to which you invite the concurrence of the Government of Tasmania; and, in reply, I beg to assure you that the Government of Tasmania is alive to the importance of the object contemplated, and will be prepared to recommend to Parliament, at its approaching Session, to give its assent to the resolutions which you have brought under my notice, to which, as explained by you, the Government attaches this signification: that Victoria contracts to pay the sum of 13,000*l.* on its own account, and on the joint account of the Colonies of Tasmania, South Australia, Western Australia, and Queensland, on the understanding that it shall be reimbursed by the Colonies enumerated, a proportion of that sum to be estimated on the basis of the proportion severally contributed by them to the postal subsidy.

I have, &c.
The Honourable the Chief Secretary, Melbourne. (signed) *Fredk. M. Innes.*

QUEENSLAND.

Colonial Secretary's Office, Brisbane,
Sir, 7 August 1860.

I DO myself the honour to inform you that his Excellency Governor Sir George Bowen has placed before the Executive Council your letter, accompanied by copies of certain resolutions on the subject of telegraphic communication with India and Europe, submitted to his Excellency Sir Henry Barkly by the Legislative Assembly of Victoria, and inviting the concurrence of this Government in the views expressed therein.

2. The Council, having deliberated at some length, expressed an opinion that the resolutions quoted in your letter are calculated to accelerate the issue of the pending negotiations between the Colonies, and to contribute to the early attainment of the common object; they could, therefore, have little hesitation in intimating their willingness imme-

diately to submit the matter for the favourable consideration of the Legislature of this Colony, and they advised that the present correspondence, accompanied by copies of all previous communications and proceedings of this Government on the same subject, should be accordingly laid upon the tables of both Houses of Parliament.

3. I am directed to forward to you copies of these communications, from which you will perceive that this Government have already placed on record their opinion in favour of the superior advantages of the line of electric telegraph in its passage through this Colony being carried overland to the Gulf of Carpentaria; and I am to state, that in tendering the advice which they have now submitted, the Council have not lost sight of that opinion, but are still disposed to recommend that this arrangement should be understood as one which would render the scheme more generally acceptable to this Colony, though not as necessarily forming a condition of its concurrence therein.

I have, &c.
(signed) *A. Orssen Moriarty,*
Under Colonial Secretary.

The Honourable the Chief Secretary,
Victoria.

QUEENSLAND.

Colonial Secretary's Office, Brisbane,
13 August 1860.

Sir,

REVERTING to the 3d paragraph of my letter to you of the 7th instant, I do myself the honour to transmit herewith the copies of the communications therein alluded to, which were inadvertently omitted to be forwarded with my letter of the above date.

I have, &c.
(signed) *A. Orssen Moriarty,*
Under Colonial Secretary.

The Principal Under Secretary,
Victoria.

Colonial Secretary's Office, Sydney, New South Wales,
10 February 1860.

Sir,

I HAVE the honour to transmit to you a copy of resolutions passed, on the 2d instant, by the Legislative Assembly of this colony, respecting a subsidy for the construction and maintenance of a telegraphic line to East Java, and to state, that it has been intimated to Mr. F. Gisborne, who has come to Australia for the purpose of furthering the establishment of such a line, that this Government will be prepared to enter into an arrangement with any company of approved stability for carrying out the object in question, upon the basis of the resolutions.

2. You will observe, that the resolutions made it a condition that the concurrence of the colony of Victoria to such an extent as may be necessary for carrying out the proposed work shall be obtained, and that the co-operation of the other colonies interested in such a project shall also be invited. A communication has been made by me to the Government of Victoria on the subject; and I have to request that you will favour me by stating whether Queensland will co-operate in the way suggested, and, if so, whether your Government would be disposed to leave with the Government of this Colony the details of such negotiation as may be necessary for completing the arrangement; I have also to request, that you will inform me whether the Government of Queensland, in the event of the construction of a submarine line commencing at Brisbane, would guarantee within the required time the continuance of the overland line from the northern frontier of this Colony.

3. I enclose, for your information, printed copies of the papers on this subject, which have been laid before the Legislature of this Colony.

I have, &c.
(signed) *William Forster.*

The Honourable the Colonial Secretary,
Queensland.

Colonial Secretary's Office, Brisbane,
17 February 1860.

Sir,

I HAVE had the honour to receive and submit to his Excellency the Governor in Council your letter of the 10th instant, transmitting a copy of resolutions passed by the Legislative Assembly of New South Wales, with reference to a proposal that a subsidy should be granted for the construction and maintenance of a line of electric telegraph to East Java, and apprising me of the communication which you had made upon the subject, to Mr. F. Gisborne, by whom the proposal has been brought forward.

2. I have now the honour, by direction of his Excellency, and under the advice of the Executive

Executive Council, to inform you that the Government of this Colony will lend its willing co-operation in a project which promises results so important to the whole of the Australian colonies, and that the earliest opportunity will be taken of bringing the subject under the favourable notice of the Legislature of Queensland.

3. It will, without doubt, be the most convenient arrangement to leave, as you propose, to your Government, the details of such negotiations as may be necessary for completing the arrangement with any Company of approved stability, to whom the undertaking may be committed; but I am to state that the Government of Queensland, while availing themselves of your proposal on this head, must of course be understood as reserving to themselves the right of ratifying any arrangement which may be made, before its conditions can be held to be binding upon this Colony.

4. I have here to state, that local information and experience in this Colony point to an overland line of telegraph from Brisbane to the Gulf of Carpentaria as the place which would be the most practicable of any that has been suggested, while it would be attended with largely increased collateral advantages. This Government would much prefer the adoption of such a line; but I beg to be understood that this is meant as a suggestion, and not as essential to the concurrence of Queensland in any plan that may eventually be decided upon, and that will secure the objects which are common to all the colonies of the Australian group.

5. With reference to your further inquiry as to whether the Government of Queensland, in the event of the construction of a submarine line commencing at Brisbane, would guarantee the continuance within the required time of the overland line from the northern frontiers of New South Wales, I am to state that the subject will be submitted for the favourable consideration of the Legislature. In the meantime, as it will of course be an object that the work while in progress should be under proper scientific supervision (which is not readily available here at present), and as it will be one, not alone for the benefit of this Colony, I beg leave to inquire whether the Government of New South Wales would be prepared to undertake the construction of the line, it being of course understood that the expenditure will be defrayed by this Colony.

I have, &c.

The Honourable the Colonial Secretary, New South Wales.

(signed) *R. G. W. Herbert.*

Sir, Melbourne, 17 June 1860.

I HAVE the honour to enclose the resolutions passed by the Victorian Legislative Assembly, granting a subsidy towards telegraphic communication with England.

A year's negotiation has enabled me to obtain 9,625 *l.* a year from the Government of New South Wales, 13,000 *l.* from the Government of Victoria, and the promise of a contribution from the Governments of Tasmania and New Zealand.

The basis of my proposal is, as you are aware, that 35,000 *l.* a year will be required to raise the necessary capital in England to construct a submarine line from East Java to Moreton Bay, the estimated outlay being based upon the cost of the Red Sea and Indian line of the same length,

The amounts actually voted leave a deficit of 12,375 *l.* to be provided for. The contribution of New South Wales, including the shares of Queensland and New Zealand, this deficit has to be made up between Tasmania, South Australia, and the Home Government, which has not yet been applied to.

All delay would, however, be avoided if the several Colonies come at once to a mutual understanding to provide amongst themselves the whole subsidy, leaving the actual payments of each to be determined in every year by the value or number of its messages.

In that case one or two Colonies could safely undertake the contract with the Company for the entire amount. The contracting Colonies would have to appoint agents in London, to put themselves into communication with an approved company. Each side would appoint engineers to decide upon the class of cable; tenders would then be called for, and the whole outlay and capital being thus fixed, the agents should have power to enter into a provisional agreement, undertaking to give the company a certain subsidy on certain conditions if, by a day named, the whole amount of capital was subscribed for, and a certain per-centage of it paid up. Such was the course adopted by the Imperial Government in the case of the Red Sea and Indian line. Now that all the lines between Java and England are either completed or in rapid progress, and telegraphic communication is brought within 1,000 miles of the northern coast of Australia, I trust no delay will take place in extending them to the Colonies.

I have, &c.

His Excellency Sir Geo. F. Bowen, K. C. B., Governor, Queensland.

(signed) *F. Gisborne.*

P. S.—I return to England by the mail which leaves to-morrow. I beg to state that my London address is 6, Duke-street, Adelphi, W. C.

Colonial Secretary's Office, Brisbane,
Sir, 10 July 1860.

I HAVE received instructions to inform you that his Excellency the Governor has placed before the Executive Council your letter, dated 17th ultimo, intimating your speedy return to Europe, and detailing the result of your negotiations on the subject of the establishment of a line of electric telegraph between these Colonies and East Java, so far as they have already proceeded, and the measures that are, in your opinion, still necessary, by concert among the Colonies, to bring the question to a tangible issue.

See page 8.

I am directed to enclose the copy of a letter, bearing date 17th February, addressed by Mr. Herbert to the Honourable the Colonial Secretary of New South Wales, by which you will perceive the extent to which this Government is already pledged to co-operate in the attempt to secure an object of importance so great as that of telegraphic communication with Great Britain.

I have, &c.
(signed) *A. Orssen Moriarty*,
Under Colonial Secretary.

F. Gisborne, Esq.,
6, Duke-street, Adelphi, London, W.C.

Colonial Secretary's Office, Brisbane,
Sir, 1 August 1860.

WITH reference to former correspondence on the subject of the construction of a line of electric telegraph from Brisbane to the frontier of New South Wales and Queensland, to unite with the systems of telegraphic communication of the other Colonies, I am directed to inform you that it is now the intention of the Government of Queensland to proceed without delay in the construction of the line of telegraph, and that it will therefore now be unnecessary that your Government should reply to the communications which have been addressed to it on this subject.

I have, &c.
(signed) *A. Orssen Moriarty.*

The Principal Under Secretary,
Sydney, New South Wales.

VICTORIA.—1859.

CORRESPONDENCE relative to TELEGRAPHIC COMMUNICATION between *Great Britain* and *Australia*, viâ *Singapore* and *Java*.

(Presented to both Houses of Parliament by His Excellency's Command.)

Sir, Downing-street, 2 May 1859.

WITH reference to my predecessor's circular despatch of the 29th May, and to mine of the 27th July last, I have to inform you that Mr. F. Gisborne, brother of the gentleman whose project of a telegraphic communication by way of India, between this country and Australia, was then announced to you, is now on his way to New South Wales, and contemplates visiting several of the Australian colonies.

Mr. Gisborne has been represented to me as a gentleman of character and intelligence; and of great experience in all matters of the above description, but I must leave him to explain for himself the object which he has in view; for, although I consider that the execution of such a scheme would confer the greatest benefit on the Australian colonies and the Empire, I cannot undertake to express an opinion on the merits of particular plans for accomplishing the object.

I take this opportunity of calling your attention, in connexion with this subject, to two principles, which, after considerable recent discussion, have been at length acquiesced in and adopted generally, and on which Her Majesty's Government are prepared to act in cases of a character similar to the present. First, to grant no exclusive privileges; and, secondly, to provide that any guarantees of interest should only take effect after the lines are in working order, and for so long only as they continue to remain in that condition.

I have, &c.
(signed) *Carnarvon.*
In the absence of
Sir *E. B. Lytton.*

Governor Sir Henry Barkly, K. C. B.,
&c. &c. &c.,
Victoria.

Sir, Melbourne, 7 July 1859.

AT the interview you honoured me with this day, on my arrival from England, I submitted to you the arrangement I had concluded, on behalf of the promoters of the Australian telegraph, with the Netherland Government on the 19th of March last, by which

which that Government binds itself to lay a submarine line from Singapore to Batavia this year, and to add a wire to the existing land line from Batavia to Banjouwangi (extreme east end of Java), for the transmission of messages to and from Australia.

You also perused the conditions, most of which are in the nature of working arrangements, for the mutual transmission of messages, under which Her Majesty's Government has given the Netherland Government permission to establish a station at Singapore, for the purpose of working the Singapore-Batavia line.

I have to state that the cable for this line is already manufactured, and will be laid next October. Also that the cable for the unfinished portion of the Indian line from Aden to Kurrachee is also manufactured, and will be laid next December.

From Kurrachee to Rangoon there exist land lines, and the Indian Government has bound itself to complete the telegraph from Rangoon to Singapore.

The time seems, therefore, arrived for the Australian Colonies to take steps to extend the Dutch line from E. Java to their continent.

By the proposed route the Australian line would leave E. Java, and, following a chain of islands, reach Timor, cross over to the North coast of Australia, and reach Cape York, thence it would follow the coast inside the Great Barrier reef, and terminate at Moreton Bay, after traversing a distance of 3,024 nautical miles.

An examination of the Admiralty charts will show that from Timor to Moreton Bay, or a distance 2,370 miles, the sea is as well sounded as the British Channel, and the cable will nowhere lie in over 100 fathoms, and that a soft bottom can everywhere be found. Throughout its course it will be essentially a coast line, lying in depths out of which it can be easily picked up for repairs, and with the facility afforded it of establishing a proper number of intermediate stations, thus enabling the cable to perform its full complement of work, whereas when long distances have to be telegraphed through, the transmitting power of a cable is enormously lessened.

The promoters propose that 800,000*l.* be raised for the purpose of constructing and working the submarine line from E. Java to Moreton Bay. This sum includes a sufficient reserve fund.

The capital for the Indian line, which from Suez to Kurrachee is submarine, and is 50 miles shorter than the Australian line, but has, in addition, 240 miles of land line through Egypt, is also 800,000*l.*

The class of cable proposed for the Australian line, and the prices, *mutatis mutandis*, are the same as have been approved of in the case of the Indian telegraph by Her Majesty's and the Indian Governments.

The promoters undertake that the Australian line shall be completed in two years, and be laid at the risk of the contractors.

Whether the line shall be held and worked by the several Colonial Governments as their joint property, or whether a private company shall hold and work it, are points which the promoters desire to leave entirely to the decision of the Colonies.

If the line is to belong to the Colonial Governments, the necessary capital will have to be raised, either out of surplus revenue, or as a public debt by means of bonds. If a company is to be formed, a guarantee of six per cent. on the capital must be given. In either case there will be a liability to be apportioned among the Colonies, and probably the most equitable measure available for such apportionment is the existing contribution of each Colony towards the colonial moiety of the postal subsidy. Under this basis, as I am informed, the share of Victoria would be $58\frac{5}{16}$ per cent. of the capital.

The proportion of letters sent and received offers a basis for estimating the proportion of messages that will be sent and received.

I trust, sir, that you will submit this subject to the consideration of the Government of Victoria, and that immediate steps will be taken to consult the other Colonial Governments, so as to bring the questions upon which a common agreement must be obtained to speedy and happy solution.

I have, &c.
(signed) *F. Gisborne.*

His Excellency Sir Henry Barkly, K. C. B.,
&c. &c. &c.

CONDITIONS communicated to me by *H. E. M. Rochussen*, Minister of the Dutch Colonies, on the 24th March 1859, under which the British Government gave the Netherland Government permission to land a Submarine Telegraph Cable, and to establish and administer a Station at Singapore.

First Condition.

THAT the Netherland Government will not grant any monopoly tending to prevent the establishment at any future time of new telegraphic lines between its Indian possessions and Australia on the one hand, and Singapore on the other, but they may exercise their discretion in admitting the principle of competition.

Protection may, however, be granted to the promoters of any Australian line during a reasonable period of construction.

As regards the telegraphic communication between the Netherland-Indian possessions and Singapore, the Netherland Government is not bound to admit the competition of any other line with that in their own hands, except in the case provided for in the clause marked *b* of the fifth condition.

Second Condition.

That the telegraph in question shall always be available for the use of the British Government and public, and be considered as a component part of the line between Great Britain and Australia.

Third Condition.

That the British Government shall be placed on the same footing as the Dutch Government as regards priority of messages.

Fourth Condition.

That the messages of the British Government may be sent in cipher, and shall not be subject to examination.

Fifth Condition.

That in case the Government cable between Singapore and Batavia should at any time be proved inadequate to meet the requirements of the public, the Netherland Government will, at their option—

(*a*) Lay down one or more additional cables, or—

(*b*) Grant a concession for laying such additional cable or cables either to the British Government or to a private company.

The Netherland Government shall always provide the requisite number of land wires between Batavia and the points where the Australian cables are landed.

Sixth Condition.

That the employment of British agents shall be allowed at all stations, corresponding to points of junction of a submarine cable with a land line on the direct route between the British possessions and Australia.

Seventh Condition.

That the tariff for through messages shall be adjusted in conjunction with Her Majesty's Government, and shall not be fixed or altered without their previous consent.

Her Majesty's Government will admit the principle of reciprocity in the application of these conditions to that portion of the telegraphic line of communication with Her Majesty's dominions, which is in the hands of Her Majesty's Government.

(Ld. A.—No. 110.)

Monsieur, La Haye, le 19 Mars 1859.

J'AI l'honneur de porter à votre connaissance que Sa Majesté le Roi m'autorise à accepter la proposition que vous avez faite au Gouvernement de Sa Majesté au nom de votre frère le Sieur Lionel Gisborne, tendant à annuler la concession qui lui a été accordé sous date de 16 Janvier 1858, pour l'établissement, le services, et l'exploitation d'une ligne sous-marin et des stations télégraphiques dans les possessions du Royaume des Pays-bas aux Indes Orientales, réliant les lignes télégraphiques des possessions Anglaises aux dites Indes et celles du continent de l'Australie.

Quant aux trois conditions qui servent de base à la dite proposition, je m'empresse de vous faire part:—

I. Que je viens de signer un contrat entre le Gouvernement de Sa Majesté le Roi et Messieurs Newall et Compagnie, pour la pose d'un télégraphe sous-marin entre Batavia et Singapore dans le cours de l'année 1859.

II. Que le Gouvernement de Sa Majesté le Roi autorise les entrepreneurs du télégraphe Australien, qui sont ou seront représentés par vous, d'établir et d'administrer une station à Coupang (Timor), et de rattacher leurs fils télégraphiques venant de l'Australie aux lignes télégraphiques du Gouvernement des Indes Néerlandaises à Banjouwangi (côte orientale de Java), et que le dit Gouvernement ajoutera un fil à la ligne existante de Batavia à Banjouwangi, aussitôt que ce dernier lieu sera relié à l'Australie, pour la transmission des dépêches allant à ou venant de l'Australie;—le Gouvernement de Sa Majesté le Roi se réserve la faculté d'employer ses propres agents pour la transmission des dépêches Néerlandaises à la station de Coupang et à trois autres stations sur la ligne qui unira les possessions Néerlandaises avec l'Australie.

III. Que

III. Que les bases pour la transmission des dépêches privées allant à ou venant de l'Australie sur les lignes du Gouvernement de Sa Majesté le Roi entre Singapore et Banjouwangi sont acceptées par le Gouvernement de Sa Majesté le Roi, comme suit:—

1. Les dépêches privées allant à ou venant de l'Australie pourront être transmises sur les lignes télégraphiques Néerlandaises entre Singapore et Banjouwangi en chiffres ou autres signes aussi bien que de la manière ordinaire.

2. Les dites dépêches ne seront examinées que pour le contrôle du tarif.

3. Les employés de la Compagnie à former pour l'établissement du télégraphe Australien, necessaires pour la transmission des dites dépêches aux stations de Singapore, de Batavia, et de Banjouwangi, seront agrées par le Gouverneur General des Indes Néerlandaises, sur la proposition d'un agent de la dite Compagnie.

4. Le tarif des dites dépêches sera réglé entre les Gouvernements Britanniques et Néerlandais, de commun accord avec la Compagnie à former.

5. On observera de part et d'autre parfaite égalité quant à l'ordre de l'expedition ou la transmission des dépêches privées.

6. Les dépêches officielles et privées Néerlandaises seront sur un pied égal quant au tarif sur les lignes qui uniront l'Australie aux possessions Néerlandaises, avec les dépêches officielles et privées Britanniques.

Le Gouvernement de Sa Majesté le Roi sera libérés de tout engagement envers les entrepreneurs du télégraphe Australien, représentés par vous, si dans le terme de quatre ans à partir de ce jour, ils n'auront pas réuni les possessions Néerlandaises avec l'Australie; mais pendant ce terme il ne traitera qu'avec eux.

Dans le cas que les Gouvernements de l'Australie préféront de tenir dans leurs mains la pose et l'administration des lignes télégraphiques qui uniront l'Australie avec l'Inde Néerlandaise, ils seront admis à remplacer les entrepreneurs ou la Compagnie privée sous tous les rapports.

Le Ministre d'État,
Ministre des Colonies,
Rochussen.

À Monsieur Francis Gisborne,
Hotel, Paulez.

Department of Electric Telegraph,
Office of the General Superintendent,
Melbourne, 21 July 1859.

Sir,

Owing to the late period at which the papers relative to Mr. Francis Gisborne's proposition on behalf of the promoters of the India and Australia telegraphic communication have reached my hands, I find that my almost immediate departure with the Bass' Straits cable laying expedition will preclude my entering into the details of the subject so extendedly as I could have wished, or from affording to it the lengthened consideration which its obvious importance clearly demands.

My views have hitherto been altogether in favour of a connexion with India and Europe, *viâ* King George's Sound and Western Australia, as proposed by Sir J. Carmichael and Mr. Brett (both gentlemen of large experience in connexion with the practical development of submarine telegraphs), and, without conceding that there is anything in Mr. Gisborne's proposition at all adverse to my previously expressed opinion as to the practicability and manifest utility of a telegraphic connexion to the westward, to act in unison with our existing mail contract, I would beg to state that the evidently well-digested scheme of the promoters of the India and Australia telegraph appears to me as deserving of most earnest consideration.

Since the date of Mr. Gisborne's communication of the 7th instant I have had several personal conferences with that gentleman, in which I have discussed with him most of the many important points involved in the details of the project which he has brought forward, and the result has been, that the evidence presented is, in my opinion, strongly in favour of the route *viâ* Java and Singapore, subject at the same time to the several modifications which I have suggested, and the necessity for which has been virtually admitted by Mr. Gisborne.

1st. Admitting the preference in favour of the north-eastern route, it would be necessary to decide as to the advisability of terminating the submarine connexion at Moreton Bay (as proposed by Mr. Gisborne), or of continuing the line seaward to Sydney Heads.

In the absence of any reliable information as to the exact nature of the existing communication between Sydney and Moreton Bay, or of the intentions of the Government of New South Wales as to the extension of their Colonial lines northward, my impression is in favour of continuing the submarine line to Sydney, as being more likely to prove generally satisfactory to the population already centred to the southward of New South Wales, than if the terminal of the submarine line were to be determined at any remote point north of that Colony.

2d. The advisability of carrying a line overland, from the northern boundary of Victoria direct to some advantageous point at the head of the Gulf of Carpentaria, and thence by submarine to Singapore, as already defined.

That land lines are preferable to submarine, especially on the borders of a new and undeveloped country, cannot, I think, be questioned; but where difficulties have to be overcome of the character likely to be presented in traversing comparatively unexplored and remote districts, at present occupied, so far as can be learned, by tribes of aborigines who, if not altogether inimical to the interests of the white man and advancing civilization, would still probably interfere materially with the permanent success of a line of telegraph, the question assumes a shape the consideration of which is open to the most vague speculation. I am, therefore, inclined to the belief, that in the present instance the sea route might be the most advantageous of the two; although I would strongly recommend, that before any decision be arrived at, a thoroughly practical examination of both routes should be made and fully reported on, having in view, of course, the practicability of establishing, either overland or by submarine, telegraphic communication with a stated point on the borders of the Gulf of Carpentaria. Through the excellent means available for such a purpose by the presence of the C. W. S. Victoria on the one hand, and that of Dr. F. Mueller (whose name is intimately connected with the northern exploration) on the other, I think that, within a reasonable period, and at a very moderate outlay, some really valuable and definite conclusion might be obtainable. And while stating my convictions to be at the present time in favour of a sea route, I would still observe, that in the event of a favourable route being found overland, I would recommend its adoption, in preference to the submarine, for the reasons mentioned at the beginning of this paragraph; but I shall leave the consideration of the point referred to in the hands of the Government, as the matter will be one, with reference to expense, for the decision of the several Colonial Governments interested in the speedy establishing of telegraphic communication with Europe.

3d. I have suggested to Mr. Gisborne the advisability of leaving open, for future decision, that branch of the question which will bear upon the character of the cable to be employed, and I have been met by the assurance, that the promoters of the India and Australia telegraph are in nowise bound either to adopt the sample of cable exhibited by Mr. Gisborne, or the specific estimates referring thereto, but that any approved construction of cable may be adopted within the estimated outlay named, say 800,000 *l.*

4th. I consider that the probable expenditure mentioned by Mr. Gisborne is not overstated, although I would wish it to be understood that I do not agree with him as to the correctness of the charge proposed for the description of cable he has submitted for inspection (a portion of the Red Sea line), as I believe that a more durable and more efficient cable might be obtained at a more reasonable cost, judging from the contract price of the Bass' Straits cable, now about to be laid down.

5th. Although I do not feel that I am required to pass my opinion as to the sum, or quota, allotted to Victoria in the divisional proportion of Mr. Gisborne's scheme, still I would beg to express my belief that the proportions alluded to should not be based upon the postal statistics, but upon the number and respective relations of the several mercantile firms in the four chief cities, say, Melbourne, Sydney, Adelaide, and Hobart Town, as telegraphic communication with Great Britain and Europe would be essentially beneficial, and principally available, to the mercantile community, and to the conservators of commercial and general information.

In conclusion, I would beg to recommend that the Government of Victoria should place itself in correspondence with the respective Colonial Governments of New South Wales, South Australia, and Tasmania, with the view of eliciting their intentions as to any action proposed to be taken in reference to Mr. Gisborne's scheme.

I have, &c.
(signed) *Sam. W. McGowan.*

The Honourable the Postmaster General.

VICTORIA.—1859-60.

Telegraphic Communication between Great Britain and Australia.

CORRESPONDENCE and Papers relative to Telegraphic Communication between *Great Britain* and *Australia*, viâ *Singapore* and *Java*, ordered by the Legislative Assembly to be printed, 21st March 1860; and further Correspondence on the same subject, ordered by the Legislative Assembly to be printed, 23d March 1860.

SCHEDULE.

1. Correspondence already published :—
   * Despatches relative to Telegraphic Communication between Europe and Australia. New South Wales.
   * Correspondence on same subject. New South Wales.
2. Letter from Secretary to Post Office to Mr. Gisborne.
3. Letter from Mr. Gisborne to Postmaster General, of 17th February 1860, with enclosures.
4. Letter from Postmaster General to Mr. Gisborne, of 24th February 1860.
5. Letter from Mr. Gisborne to Postmaster General, of 27th February.
6. Letter from Secretary to Post Office to Mr. Gisborne, of 28th February 1860.
7. Letter from Mr. Gisborne to Postmaster General, of 16th March 1860, with enclosures.
8. Letter from Secretary to Post Office to Mr. Gisborne, of 19th March.
9. Letter from Colonial Secretary, New South Wales, to Chief Secretary, Victoria, of 10th February 1860.
10. Letter from Chief Secretary, Victoria, to Colonial Secretary, New South Wales, of 29th February.
11. Letter from Melbourne Chamber of Commerce to Postmaster General, of 29th February.
12. Letter from Secretary to Post Office to Secretary, Melbourne Chamber of Commerce, of 3d March 1860.
13. Letter from Mayor of Melbourne to Chief Secretary, Victoria, of 6th March, with enclosures.
14. Letter from Sprigg, Addison & Co. to Postmaster General, of 19th March 1860.
15. Sir Henry Young to Mr. F. Gisborne, 13th July 1859.
16. Mr. J. D. Dickinson to Secretary, India Board, 14th July 1858.
17. Mr. Melvill to Mr. F. Gisborne, 7th April 1859.
18. M. Rochüssen to Mr. Gisborne, 19th March 1859.

CORRESPONDENCE.

General Post Office, Melbourne,
Sir, 3 August 1859.

I am directed to inform you, with reference to the correspondence that has taken place on the subject of telegraphic communication between Europe, the East, and Australia, that the Postmaster General has brought your proposal under the notice of his colleagues, who are fully impressed with the importance of the subject, and aware of the great advantages that would arise were an electric telegraph line to be established between Europe, India, and the Australian Colonies.

I am also desired by Dr. Evans to state, that, although the Government cannot be pledged to recommend any particular scheme, the whole subject will be submitted as early as possible for the consideration of the Legislature.

I have, &c.
F. Gisborne, Esq., Melbourne Club. (signed) *William Turner.*

Sir, 17 February 1860.

I have the honour to enclose for your information the whole of the papers respecting telegraphic communication with Europe presented to Parliament by the New South Wales Government, in the course of the year 1859.

I also beg to enclose, in copy, a letter addressed by me to the Colonial Secretary of that Colony on the 6th instant; also a letter addressed to me by that Minister on the 8th instant, with the resolutions enclosed in it, which were passed by the Legislative Assembly of New South Wales, subsidising the proposed line of telegraph to East Java; also

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* The above printed documents, issued by the Government of New South Wales, have been laid upon the Table of the House. There is also laid upon the Table, for the information of Members, a map showing the route of the Australian and European telegraph from Moreton Bay to Java, and a map showing the same from Adelaide to London.

also a letter addressed to me by the same Minister on the 13th instant, explaining the first resolution.

I also beg to enclose, in copy, a letter addressed to me by the Colonial Secretary of New Zealand on the 27th December last; also the estimate adopted by the Dutch Government for the Singapore Batavia submarine telegraph, and a letter addressed to me by the principal promoters of the proposed submarine line from Moreton Bay to East Java, dated the 16th November last.

As you are aware, sir, I addressed a letter to his Excellency Sir Henry Barkly on the 7th July last, the day of my arrival from England, stating that the promoters of the Anglo-Australian Telegraph were prepared to construct and maintain a submarine line of telegraph from Moreton Bay to East Java, thus supplying the only line not already provided for between this continent and England, on receiving from the Australian Colonies certain financial assistance.

His Excellency was pleased to write to me on the 11th of the same month that he would at once bring the subject under the consideration of his responsible advisers.

Subsequently I received a letter from the Postmaster General, dated 3d of August last, stating that the Government would submit the whole subject of telegraphic communication with the East and Europe, as early as possible, for the consideration of the Legislature.

Parliament was not then sitting, and did not meet for business till the close of November. In order to utilise the intervening months, I repaired to Sydney, and the result of my negotiation there is set forth in the enclosed resolutions.

These resolutions authorise the New South Wales Government to grant a subsidy of 9,625 *l.* per annum, for 21 years, to induce a company to construct and maintain a telegraph to East Java, upon condition that Victoria grants the residue, or 25,375 *l.* per annum, to make up the whole subsidy of 35,000 *l.*, and that the whole work be completed in three years.

The 4th condition further provides that a rateable portion of the subsidy shall be paid during the period of construction upon the calls as paid up; but the 5th condition suspends any actual disbursement under the 4th until the line is completed, and further makes any payment of subsidy after such completion conditional on the maintenance of the line in effective working order. Under the 6th condition no tariff can be established without the concurrence of New South Wales; and the effect of the 7th condition is, that so soon as the line shall from all sources, including the subsidy, pay over 10 per cent., the excess is to be applied rateably to reduce the contributions of Victoria and New South Wales; so that no payment will be made on account of subsidy if without its aid the net profits of the line reach 10 per cent.

The amount of subsidy, fixed at 35,000 *l.*, was calculated to pay the working expenses, estimated at 20,000 *l.* a year, and leave 15,000 *l.*, or about 2 per cent., as a dividend upon the estimated outlay of 720,000 *l.*

The enclosed documents will show that the outlay has been estimated to provide a class of cable similar, in nearly all respects, to that adopted with the sanction of the English and Indian Governments for the Red Sea line; the estimate assumes the same prices, and is further founded upon the enclosed tender, dated the 2d June last, made by the contractors of the Red Sea line, to lay that class of cable between Moreton Bay and East Java for a fixed sum.

The proportionate liability of the two contracting Colonies towards the Company was taken from their proportionate contributions towards the colonial moiety of the postal subsidy. These latter are 22 per cent. for New South Wales, and 58 per cent. for Victoria. The contributions fixed by the resolutions bear the same ratio as the above figures, namely, 27½ per cent., and 72½ per cent. of the whole subsidy. The second resolution provides that immediate steps be taken to communicate with and settle the proportionate contributions of the other Colonies in aid of the respective contributions of Victoria and of New South Wales.

You will observe, sir, that these resolutions are based upon three main principles: 1st, a fixed liability is created as between the two contracting Colonies and the Company; 2d, no payment is allowed to be made except in respect of time during which the line shall be actually at work; and 3d, the subsidy is made to cease when the line becomes of itself a good commercial investment.

It is, of course, necessary that the subscribers to the capital should look to the two contracting Colonies, during the whole period of years, for a fixed amount, though as between themselves the several Colonies can readjust their respective liabilities every year, either in proportion to the use they each make of the line, or on some other basis.

The second principle throws the whole risk of the undertaking, before and after completion, upon the Company, and, in order to earn the subsidy, compels them to keep up telegraphic communication; and the third principle secures the cessation of the subsidy when those circumstances arise under which commercial men will invest their money without extraneous aid. I would observe that 10 per cent. is not a high rate of interest for money invested in a long submarine line, and in Australia, where money commands a high price.

It is, therefore, clear that, in granting the subsidy asked for, this Colony only incurs a liability until the line becomes self-supporting.

In doing this it only follows in the track of every European nation, and takes timely advantage of one of those great discoveries which confer incalculable benefits upon nations.

No

No long submarine line has ever been laid except with Government aid. It was but eight years and a half since the first sea line was completed, and already cables exist, or are being laid, from Europe to Java.

The neglect to use a work of this nature may in a few years involve great loss, and implies considerable backwardness in the adoption of improvements.

It is a branch of the great question of external communications, and is closely allied to the question of national defences.

My object, however, is to make my proposal clearly understood, not to prove the utility of the undertaking.

I, therefore, trust that Government will propose to Parliament that an annual subsidy be granted to aid the undertaking, on the basis of the enclosed resolutions; or should a guarantee of dividend be preferred, that it will propose to guarantee a rate of dividend upon 72½ per cent. of the outlay, such outlay not to exceed in the whole the sum of 800,000 *l.*

I have, &c.
(signed) *F. Gisborne.*

The Honourable J. R. Bailey,
Postmaster General, &c., &c., &c.

Sir, Sydney, 6 February 1860.

The Legislative Assembly having, on your motion, passed certain resolutions authorising the Government to subsidise a telegraphic line to East Java, I will state for your information the further steps I am about to take to realise the undertaking I have had the honour to submit to the several Governments of Australia.

The resolutions just passed are based upon the assumption that a subsidy not exceeding 35,000 *l.* per annum will be required to enable the necessary capital to be raised in England, and empower the Government to pledge this Colony to contribute 9,625 *l.* per annum, or 27½ per cent. of the total amount.

The first condition annexed to any grant by the Government of this Colony is, that the Government of Victoria shall make arrangements with the Company for the residue over and above the annual subsidy of this Colony, necessary for the carrying out of the work.

The obligation, therefore, to obtain the contribution required from the Colony of Victoria, would appear to be thrown upon the promoters of the line. I, therefore, purpose leaving immediately for Melbourne.

I would further direct your attention to the third condition, which provides that the whole work shall be completed in three years, from the 2d instant. As the line may take as long as two years in constructing, one year is left to the promoters to complete their negotiations with Victoria, to raise the capital, and to let the contract in England.

Much can be done with respect to raising the capital and letting the contract, even before the conclusion of any negotiation with Victoria; much time will thus be gained, and the period within which this great project may be realised materially shortened.

I trust, therefore, that you will put me in a position to state to the promoters, by the next mail, that on the Government of Victoria making the arrangements alluded to in the first condition, the Government of New South Wales will be prepared to enter into an arrangement with them, on the basis of the resolutions.

I have had the honour of communicating to you a letter addressed to me, dated London, 16th November 1859, and signed by the principal promoters of the line, undertaking to use their best efforts to carry it out upon the terms which may be agreed upon between me and the Australian Governments.

An intimation from you like that I have asked for, will place the promoters in the position at once to set about fulfilling their promise.

I would also observe, that I have been six months in Sydney conducting this negotiation, without having received as yet any answer from the Government.

I have, &c.
(signed) *F. Gisborne.*

The Honourable W. Forster, Esq., M.L.A.,
Colonial Secretary, Sydney.

Colonial Secretary's Office, Sydney,
1 February 1860.

Sir,

I am directed by the Colonial Secretary to transmit to you a copy of the resolutions passed by the Legislative Assembly of this Colony, on the 2d instant, respecting a subsidy for a telegraph line from this Colony to East Java, and to state that the Government is prepared to enter into an arrangement for effecting this object upon the basis of these resolutions.

2. I am at the same time desired to intimate to you that the resolutions appear to the Government to cast upon you the duty of obtaining the co-operation of the Government of Victoria.

I have, &c.

F. Gisborne, Esq., &c. &c. (signed) *W. Elyard.*

RESOLUTIONS subsidising Submarine Telegraph to Java, passed by the Legislative Assembly of New South Wales, 2 February 1860.

7. *Telegraphic Communication with the United Kingdom*:—On the Order of the Day being read, the Speaker left the chair, and the House resolved itself into Committee of the whole, further to consider of an Address to His Excellency the Governor General, with reference to a subsidy towards telegraphic communication with the United Kingdom.

The Chairman reported that the following resolution had been agreed to in the Committee:—

Resolved,—That an address be presented to his Excellency the Governor General, embodying the following resolutions:—

1. That this House is of opinion that the Government of this Colony should be authorised to grant a subsidy not exceeding 9,625 *l.* per annum, for a term not exceeding 21 years to any Company, of the stability of which satisfactory assurance shall be given to induce such Company to construct and maintain a telegraphic line from this Colony to East Java, upon the following conditions, that is to say:—

(1.) That the Government of Victoria shall make arrangements with such Company, by subsidy or otherwise, for the residue over and above the annual subsidy of this Colony, necessary for the carrying out of the work.

(2.) That the period within which the first call of the subscribed capital of the Company shall be made, shall be limited to 12 calendar months from the date of the concurrence of the Colony of Victoria in the preceding condition.

(3.) That the whole work shall be completed and in effective operation within three years from the present date, subject, however, to such extension of time, to meet possible contingencies, as may hereafter be agreed upon.

(4.) That the proposed subsidy shall be proportionally payable on the capital of the Company as paid up.

(5.) That the payment of the said subsidy shall be conditional on the maintenance of the line in effective working order, and that no payment shall be made until the line is completed.

(6.) That no tariff of charges shall be established without the concurrence of this Colony.

(7.) That in the event of the net profits of the Company exceeding in any year the rate of 10 per cent. per annum, such excess shall be rateably applied to reduce the respective contributions of this Colony and of Victoria.

2. That steps be taken without delay to communicate with and settle the proportionate contributions of the other Colonies in aid of the respective contributions of New South Wales and Victoria.

And the same having been read at length by the clerk,
Mr. Forster moved, That the House do now adopt this Resolution.
Debate ensued.
Question put.
The House divided.

Ayes, 23.		Noes, 5.	
Mr. Black.	Mr. Laycock.	Mr. Cooper.	
Mr. Samuel.	Mr. Hurley.	Mr. G. Lang.	
Mr. Piddington.	Mr. Parkes.	Mr. Wisdom.	
Mr. Clements.	Mr. Hay.	Mr. Gordon,	Tellers.
Mr. Watt.	Mr. Macleay.	Mr. Atkinson,	
Mr. Wild.	Mr. Plunkett.		
Mr. Hart.	Mr. Robertson.		
Mr. Hamilton.	Rev. Dr. Lang.		
Mr. Hoskins.	Mr. Nott.		
Mr. Wilson.	Mr. Forster, Tellers.		
Mr. Hyeronimus.	Mr. Morris,		
Mr. Garrett.			

NEW SOUTH WALES.—1859.

Telegraphic Communication with Europe.

(Documents respecting Moreton Bay and East Java Submarine Telegraph.—(Presented to both Houses of Parliament by Command.)

My dear Sir,

Bolton-row, 17 April 1859.

I send you, enclosed, the exact proportions of the Australian Correspondence, on which the division of the postal subsidy is calculated.

F. Gisborne, Esq., &c. &c. &c.

Yours, &c.
(signed) *W. H. Stephenson.*

Victoria	$58\frac{5}{16}$
New South Wales	$22\frac{12}{16}$
South Australia	$7\frac{4}{16}$
New Zealand	$5\frac{11}{16}$
Tasmania	$5\frac{1}{16}$
West Australia	$\frac{15}{16}$
	100

Memorandum.

	£.
Proposed capital	800,000
Estimated outlay	720,000

New South Wales is, as regards the Company, asked to contribute $27\frac{1}{2}$ per cent. of the whole amount of guarantee or subsidy, and Victoria to contribute $72\frac{1}{2}$ per cent.

100

The subsidy of New South Wales will represent 220,000 *l.* of the capital of the Company, and that of Victoria	£.
	580,000
	220,000
	£. 800,000

The subsidy or guarantee is only to run upon the outlay.

The manufacture of the cable for the line from Moreton Bay to East Java will occupy five months.

The cable will be paid for at the end of each month on the quantity of cable made, all but about 15 per cent., which the contractor will only receive on the completion of the whole contract.

As regards the ships, about one-third of the cost will be paid the contractor on the signing of the contract; one-third when the ships are ready for receiving the cable on board; and the remainder in monthly instalments from the sailing of the first ship.

Such are the arrangements as regards the Red Sea and Indian Line, and will, no doubt, be adopted in substance, as regards the Australian telegraph.

Under a subsidy of 35,000 *l.* yearly, New South Wales is asked for $27\frac{1}{2}$ per cent. of the whole amount, or	£.
	9,625
Victoria, $72\frac{1}{2}$ per cent., or	25,375
	£. 35,000

The share of New South Wales will be reduced to 22 per cent. or 7,700 *l.* if the other Colonies contribute in the proportions of the postal subsidy. The share of Victoria will in the same way be reduced to 58 per cent., or 20,300 *l.*; this will leave 7,000 *l.* to be contributed by the other Colonies	
	7,700
	20,300
	7,000
	£. 35,000

In the above statement fractions have been omitted.

Taking the working expenses at 20,000 *l.* a year, the subsidy will cover them, and further leave a dividend of about 2 per cent. upon the estimated outlay—(720,000 *l.*)

The exact proportion of New Zealand to the postal subsidy is at present	5 $\frac{1}{16}$ per cent.
And that of Western Australia	$\frac{15}{16}$ per cent.
	6 $\frac{10}{16}$

Assuming that New Zealand and Western Australia contribute nothing towards the telegraph, the contributions of the other Colonies towards the 35,000 *l.* subsidy will stand as follows:—

Victoria	62·450 per cent.
New South Wales	24·350, or 8,522 *l.*
South Australia	7·765
Tasmania	5·422
	99·987—say 100.

In the whole of the above statement the proportionate contribution of New South Wales includes that of Queensland.

If the submarine line is made to terminate at Broad Sound instead of Moreton Bay, 352 nautical miles of distance will be saved, which will represent 61,000 *l.*, assuming nothing is saved in freight, or 82,000 *l.* if the freight be saved.

If Port Curtis be substituted for Moreton Bay, 240 nautical miles of distance will be saved, representing 42,000 *l.* if nothing be saved in freight, or 56,000 *l.* if the freight be saved.

It is extremely doubtful whether the ships will cost less on account of a few hundred miles of cable than they may carry.

F. Gisborne.

Sydney, 14 December 1859.

6, Duke-street, Adelphi, 23 August 1858.

ABSTRACT of Specification and Estimate to Board of Red Sea and India Telegraph Company, this day agreed to by Messrs. *Newall & Co.*

Specification:

7 copper wires in a strand, at per knot 180 lbs. Gutta percha, 2 coverings, and 2 Chatterton's patent at 212	3½ cwt.
Yarn	1½ cwt.
18 iron best selected charcoal wire, weighing	16 cwt.
Total per knot, deep water sample	21 cwt.

Shore Ends:

Same, gutta percha and copper wire, per knot	3½ cwt.
Yarn	2½ cwt.
9 iron best selected charcoal, weighing	61 cwt.
Shore ends, per knot	67 cwt.
Deep water cable, per knot, f. o. b.	£. 105.
Shore ends	160.
Slack, 25 per cent.; risk of laying and staff, 20 per cent. + 5,000 *l.* to Aden, or 10,000 *l.* to Kurrachee.*	
Ships and coals	£. 110,000.

Lionel Gisborne.

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* For ship's fittings.

Sir, Aden, 2 June 1859.

We authorise you to accept on our behalf a contract for a Submarine Telegraph Line, from the East end of Java to Moreton Bay, on an estimated direct distance not exceeding 3,004 nautical miles, for a sum of 665,000 *l.*, the contract to be based on that we have with the Red Sea and Indian Telegraph Company.

The above sum of 665,000 *l.* to include manufacture of cable and risk of laying it, ships, and their insurance.

The cable to be the same as the Red Sea and India cable, excepting that the outer covering of hemp and wire is to be made slightly heavier to give a more perfect protection to the gutta percha, and the cable to weigh 22 cwt. instead of 21 cwt. per nautical mile, and to include, also, instruments for six stations, by Siemens and Halske of Berlin.

The insurance of the cable is to be put upon the same footing as that for the Indian cable, excepting that a margin for our profit must be insured at the same time, which is to be agreed upon.

We reserve the right to increase the price of the cable or withdraw from the contract should any rise occur in the price of material between this date and the day the contract is communicated to us.

We undertake to lay the lines and deliver them over in complete working order, and capable of transmitting a minimum of ten words per minute over any direct distance not exceeding 500 nautical miles within two years of the contract being communicated to us.

This offer is to be binding on us after the 31st December 1859.

We are, &c.

Francis Gisborne, Esq. (signed) *R. S. Newall & Co.*

Australian Telegraph.

Estimates for a Cable of the same Specification as Red Sea Cable, only with a slightly increased weight of Hemp and Outside Wires, so that the Australian Cable shall weigh 22 cwt. instead of 21 cwt. per knot.

			£.	£.
C. Sedano (E. Java) to Coupang (Timor)	590 knots.			
Coupang to Port Essington	525 „			
Port Essington to Cape York	635 „			
Cape York to Cape Cleveland	619 „			
Cape Cleveland to Moreton Bay	655 „			
Total direct distance	3,024 „			
25 per cent. slack	756 „			
	3,780 „	at 110		415,250
Shore ends	100 „	at 50		5,000
4 Steamers, 1,800 tons each = 7,200, at 24 *s.* per ton per month, for 10 months				86,400
25 tons of coals a day for each of the 4 steamers, for 180 days, at 3 *l.*				54,000
Contractor to insure (ships and coals) 140,400 *l.*, at 6 per cent.				8,424
Risk of laying, 20 per cent. on 420,250 *l.* value of cable				84,050
Instruments for six stations				2,400
Halske and Siemen's Staff of Electricians				12,000
Company to insure against sea risk, 420,250 *l.* (value of cable) at 6 per cent.				25,212
Building six stations				12,000
				704,736
Reserve Fund, 10 per cent.				70,000
				774,736
Grand Total, say				£. 800,000

Memorandum:

Shipping cable	60 days.
Voyage out	75 „
Laying	80 „
Voyage home	85 „
	300 „
Steaming:	
Voyage out	70 days.
Laying	40 „
Voyage home	70 „
	180 „

Communicated by me to Captain Martindale, R.E., Commissioner for Internal Communication, New South Wales.

Sydney, 11 August 1859. *F. Gisborne.*

ESTIMATE of probable Working Expenses and Cost of Maintenance of a SUBMARINE TELEGRAPH, from *Moreton* to *East Java*.

	£.	s.	d.	£.	s.	d.
MANAGEMENT:						
Directors, Secretary, and Expenses of Management in London	3,000	–	–			
Committee of Company in Australia—Accountant and Secretary, 500 *l.*; Superintendent, 800 *l.*	1,300	–	–			
Clerk	250	–	–			
WORKING STAFF:						
6 Stationmasters, at 300 *l.*	1,800	–	–			
12 Clerks, at 250 *l.*	3,000	–	–			
6 Battery-men, at 150 *l.*	900	–	–			
Battery Stores*	1,200	–	–			
Contingencies and Petty Expenses	500	–	–			
Necessary Provision for Officers at 4 Stations	800	–	–			
				12,750	–	–
SCREW STEAMER, 100 TONS, 30 HORSE POWER:						
Captain	300	–	–			
Chief Mate, 200 *l.*; second ditto, 150 *l.*	350	–	–			
Boatswain, 100 *l.*; Carpenter, 100 *l.*	200	–	–			
Blacksmith and Coppersmith	120	–	–			
3 Able Seamen	252	–	–			
Cook, 100 *l.*; Steward, 120 *l.*; 2 Boys, 50 *l.*	270	–	–			
				1,492	–	–
ENGINEERS:						
First Engineer, also to superintend Repairs to Cable	300	–	–			
Second ditto	200	–	–			
3 Ordinary Firemen, 330 *l.*; 1 Boy, 25 *l.*	355	–	–			
				855	–	–
VICTUALLING:						
1st Class, 4 at 5*s.*, including Grog	356	–	–			
2d Class, 4 at 3 *s.* 6 *d.* ditto	238	–	–			
3d Class, 10 at 2 *s.* 6 *d.* ditto	451	5	–			
4th Class, 3 at 1 *s.* 6 *d.* ditto	82	2	6			
				1,136	7	6
Coals and Wood	500	–	–			
Repairs to Hull and Machinery	350	–	–			
Rope, Oil, Wear and Tear, Ship's Chandler Account	300	–	–			
				1,150	–	–
15 per Cent. on Cost of Vessel, at 6,000 *l.*	–	–	–	900	–	–
TOTAL £.				18,283	7	6

SUMMARY:

	£.	s.	d.
Management and Working Staff, Salaries, &c.	12,750	–	–
Screw Steamer—Marine	1,492	–	–
Ditto – Engineers	855	–	–
Victualling—Marine and Engineers	1,136	7	6
Coals, Wood, Repairs, Stores, &c.	1,150	–	–
Wear and Tear, &c.	900	–	–
£.	18,283	7	6

F. Gisborne.

Say 18,000 *l.* in round numbers.

B. H. M.

Sydney, September 1859.

(115.)

Colonial Secretary's Office,
Sydney, New South Wales, 13 February 1860.

Sir,

I AM directed by the Colonial Secretary to acknowledge the receipt of your letter of the 10th instant, in which you represent that it is of importance that the starting point of the proposed submarine line of telegraph to Java should be determined at the present time.

2. The Colonial Secretary desires me to state, in reply, that the Government of this Colony are willing that the line should be understood to commence at Brisbane, simply as the basis of calculation for a future contract with an approved Company, provided the continuance of the overland line from the frontier of New South Wales to that place is guaranteed.

I have, &c.
(signed) *W. Elyard.*

F. Gisborne, Esq., Melbourne Club,
Melbourne.

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* This will depend on the kind of battery employed.

(256.)

New Zealand, Colonial Secretary's Office,
Sir, Auckland, 26 December 1859.

I HAVE the honour, by the direction of Mr. Stafford, to acknowledge the receipt of your letter to his Excellency the Governor, of the 6th July last, with its enclosures, on the subject of the proposed telegraphic communication between England and Australia *viâ* India.

In reply, I am to inform you that the Government of New Zealand regards the projected establishment of such communication favourably, and would be prepared to propose a contribution on the part of that Colony to such a work, it being borne in mind that the amount of liability to devolve on that account on New Zealand would be governed by the circumstance whether or not the telegraphic line were carried to its coasts.

In the latter case, although the Colony would undoubtedly benefit if the line terminated at Sydney, its contribution could not be so large as it might be fairly required to be in the former case.

The mode of determining the respective contributions is a question for the consideration of the Governments concerned, and this Government cannot finally decide in the matter until the details of your scheme are fully known, especially as it is understood that some alterations of your original proposition are contemplated.

I have, &c.
(signed) *W. Gisborne*,
Under Secretary.

F. Gisborne, Esq., Australian Club,
Sydney, N. S. W.

Dear Sir, London, 16 November 1859.

THE undermentioned gentlemen will join me in using their best effort to carry out, through the medium of a private company, a line of telegraph between the Australian Colonies and Java, upon the terms which may be agreed upon between you and the respective Australian Governments.

I remain, &c.
(signed) *W. Gladstone.*

Francis Gisborne, Esq.,
Melbourne or Sydney.

R. Campbell,
James J. Cummins, } Directors of the Union Bank of Australia.
T. M. Weguelin, Director of the Peninsular and Oriental Steam Company.
W. Gladstone, and of Messrs. Robarts & Co.
Charles Bell, Director of the Ocean Marine Insurance Company, and of Ottoman Bank.
James Edward Coleman, Public Accountant to the Bank of England.

SINGAPORE, BAUCA, BATAVIA TELEGRAPH.

ESTIMATE for a CABLE similar to that adopted by the RED SEA and INDIA TELEGRAPH COMPANY.

		£.
Distance over the water	557 knots.	
25 per cent. slack	139 „	
	696 „ at 105 *l.*	73,080
Shore ends, 20 miles	at 55 *l.*	1,100
		74,180
20 per cent. risk of laying		14,835
		89,015
Ships and coals		31,500
Fittings and instruments		4,000
		124,515
Insurance, 6 per cent. on 125,000 *l.*		7,500
Staff		4,545
Total Outlay		£. 136,560

Ships:

One steamer, 1 700 tons, for nine months, at 2,000 *l.* per month	18,000
Coals, 180 days, at 25 tons, average 60 *s.* per ton	13,500
	£. 31,500

The above estimate was adopted by the Dutch Government Engineer in Chief, in charge of the telegraphic lines, and the Dutch Government made a contract for the line at 136,560 *l.*

(signed) *F. Gisborne.*

Melbourne, 17 February 1860.

(M.—60—438.)

General Post Office, Melbourne,
24 February 1860.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 17th instant, enclosing correspondence relating to telegraphic communication with Europe, and papers presented by the Government to the Legislature of New South Wales on the subject.

In reply, I beg to inform you, that I have submitted the whole subject of European and Australian telegraphic communication, as dealt with in your letter, and the correspondence forwarded therewith, to my colleagues, and, after mature deliberation, it has been decided that it is essential the Government should be accurately informed as to the tariff of charges for the transmission of messages through the line of telegraph proposed to be established.

I shall require, therefore, to be supplied with the actual charges now levied for through messages at the stations already opened on the proposed route from Australia to Europe; the charges it is proposed to levy for similar messages over the lines in process of construction, and over lines contemplated, whether under the control of the British Government or foreign powers; and, lastly, the proposed tariff for the transmission of messages over the submarine line from Moreton Bay to Java, and over the land line from Albury to Moreton Bay.

I deem it absolutely necessary, and my colleagues concur with me in the opinion, that we should know what it will cost actually for the transmission of messages from Victoria to Great Britain, as upon that must rest the probability of any profit being derived from the undertaking, as well as of any adequate advantage being derived from the expenditure of so large an annual sum, as it would appear is expected to be contributed by the Colony, in the event of its being decided to adopt the scheme now under consideration.

It has also been determined that in the event of the concurrence of the Government of Victoria being given to this scheme, the guarantee of the subsidy required from the Colonies of New South Wales and Victoria, respectively, should, in the first instance, and throughout, be a joint and equal one, and that the actual payments of each should be in proportion to the use made of the telegraph by each Colony.

This decision will be communicated to the Government of New South Wales.

I have, &c.
(signed) *J. R. Bailey.*

F. Gisborne, Esq., Melbourne Club, Melbourne.

Sir,

Melbourne, 27 February 1860.

I HAVE the honour to acknowledge the receipt of your letter to me of the 24th instant, requesting to be informed what the cost of transmission of messages will be from Victoria to Great Britain. The Red Sea and India Telegraph Company, according to their published announcement, have entered into arrangements for the transmission of their messages over the European lines from Trieste and Marseilles to London, and also over the lines in India.

That Company undertakes to transmit a message of 20 words, including address, from Aden to London, *viâ* Trieste or Marseilles, for 2*l.* 13*s.*, the ordinary post conveying such message between Alexandria and those two towns. The Indian Government has undertaken to transmit all messages of the Red Sea and India Company, between any stations on their lines, at a uniform rate of 4*s.* per message, the distance between Kurrachee, the terminus of the Red Sea and India cable, and Rangoon, the terminus eastwards of the Indian telegraphs, being about 2,700 miles.

From Rangoon to Singapore the line will be laid by the Indian Government, and the great liberality it has shown in its charges for through messages will no doubt be extended to that line. From Singapore to Batavia, and the east point of Java, the lines are in the hands of the Dutch Government; but by the seventh condition of the arrangement between Her Majesty's and the Netherland Governments about the telegraph station at Singapore, the tariff of through messages over those lines cannot be fixed or altered without the consent of Her Majesty's Government. From the last point of Java to Moreton Bay, my proposal and the resolutions passed by the Parliament of New South Wales provide that no tariff shall be established without the concurrence of the Colonies contributing to the subsidy. From Moreton Bay to Victoria the tariff for messages to and from the proposed submarine line will no doubt be adjusted under an intercolonial convention.

By

By clause 16 of the agreement between Her Majesty's Government and the Red Sea Company, no tariff can be established between Kurrachee, Aden, and Alexandria, except with the consent of Her Majesty's Government.

In laying these data before you, I wish to direct your attention to two important circumstances:—1st. That these tariffs, except in the case of the lines through India, are as yet rather local than through tariffs; and 2d. That from Australia to the Mediterranean, either the Colonial Governments or Her Majesty's Government have control over the scale of charges.

The tendency of these charges is undoubtedly to become lower, and I trust you will consider the above statement as satisfactory.

You inform me in your letter, if I mistake not, that it is considered that the contributions towards the subsidy required from Victoria and New South Wales should be made joint and equal in the agreement with the Company, and that the actual payments of each should be in proportion to the use made of the telegraph by each Colony. I collect from this that no objection is made to joining New South Wales in granting the whole subsidy to the Company, thus relieving it from any negotiation with the other Colonies, but that the proportions, fixed by my proposal and the resolutions, of 27½ per cent. for New South Wales, and 72½ per cent. for Victoria, are objected to.

If the basis laid down in your letter be adopted, and all the Colonies agree to pay, so soon as the line is opened, the same per-centage of the subsidy as the per-centage which their respective messages may bear to the whole number sent by them collectively, it seems to me of small practical importance to the two contracting Colonies on what scale their respective liabilities towards the Company are fixed. In practice that will be set right by the other agreement between all the Colonies.

If Victoria and New South Wales will enter into a joint and several agreement with the Company in respect of the subsidy, it will then become unnecessary to fix their respective proportions in that agreement, because each will then be liable to the Company for the whole amount. But if that is not done, it would appear to be convenient, if not absolutely necessary, to fix the liability of each towards the Company, and, as the nearest approximation to the basis laid down in your letter, the postal correspondence was taken as indicating with sufficient accuracy the probable relative proportions of the correspondence by telegraph of the two Colonies with the mother country.

If this Colony insists upon the resolutions passed by the New South Wales Parliament being reconstructed on a different basis, much time will be lost, and probably the whole matter greatly imperilled.

I have, &c.
(signed) *F. Gisborne.*

The Honourable J. R. Bailey,
Postmaster General, &c. &c. &c.

(M.—60—489.)

Sir, General Post Office, Melbourne, 28 February 1860.

I AM directed to acknowledge the receipt of your letter of the 27th instant, relative to the charges likely to be made for the transmission of messages between Australia and Great Britain, in the event of your scheme for connecting the two countries by electric telegraph being adopted, and to inform you that the Postmaster General will again bring the subject under the notice of the Government, when a further communication, which is expected from New South Wales, has been received.

I have, &c.
(signed) *William Turner.*

F. Gisborne, Esq., Melbourne Club.

Sir, Melbourne, 16 March 1860.

I HAVE the honour to transmit to you a memorandum I have this day drawn up relating to the extent the proposed submarine telegraph between Moreton Bay and Java is likely to be used by the Australian Colonies.

I have, &c.
(signed) *F. Gisborne.*

The Honourable the Postmaster General,
&c. &c. &c., Melbourne.

MORETON BAY AND EAST JAVA SUBMARINE TELEGRAPH.

ESTIMATE of Number of Messages likely to be transmitted.

IT is probably impossible to estimate, with any degree of accuracy, what number of messages will be transmitted along the proposed submarine telegraph between Moreton Bay and East Java by the general public or for official purposes.

An estimate can however be made of the number of messages likely to be sent and received by the commercial firms, and by persons interested in shipping of the cargo, as owners, insurers, consignors or consignees, or as passengers. It must be borne in mind

that the proposed and the existing telegraphs will, by themselves, or in conjunction with ordinary post, extraordinarily shorten the period of transmission of intelligence to China, India, Europe, and North America, and that the greater the distance the message has to travel, the greater will be the necessity and advantage of telegraphing, inasmuch as the difference between the telegraph and the ordinary post will increase as the whole distance increases.

A message that was not kept waiting on the road to give way to other messages having priority over it, would be transmitted in one hour between Melbourne and London.

The following data, obtained from the most reliable sources, as to the number of vessels and exporting and importing firms in Victoria and New South Wales likely to use the telegraph, will afford some idea of the use it will be put to:—

NUMBER and Tonnage of all Vessels entered inwards and outwards in the several Australian Colonies, except Vessels engaged in intercolonial trade, South Sea Islands and South America, during 1859.

	Number of Vessels.	Tonnage.
Entered inwards	520	370,005
Cleared outwards	481	346,944
TOTAL for Victoria	1,001	716,949
Entered inwards	262	for New South Wales in 1858.
Cleared outwards	262	
	1,525	
Say (inwards and outwards)	500	for South Australia, Tasmania, and New Zealand.
TOTAL	2,025	

The number of exporting and importing firms and other commercial associations in Victoria likely to use the telegraph are	150
Ditto for New South Wales	150
Ditto for South Australia, Tasmania, and New Zealand—say	50
TOTAL	350

Assuming that every vessel of the above description will on the average be worth two messages each way, we shall have 2,025 ships, at four messages each, equal to 8,100 shipping messages. Ships are certain to notify their arrival and departure, and to receive some messages from their point of starting by the telegraph.

If we average the exporting and importing firms at one message per week each way, we shall have 350 firms at two messages per week, equal 700 messages per week, or 36,400 messages in the year.

If by way of hypothesis we take the tariff for a message of 20 words over the proposed line at 30*s.*, which is about 1*s.* for every 100 nautical miles of distance, we shall have for the year—

	£.
From shipping messages: 8,100 messages at 30*s.*	12,150
And from commercial messages: 36,400 messages at 30*s.*	54,600
TOTAL from shipping and commercial messages	£. 66,750

Deducting 20,000*l.* for working expenses, that leaves 46,750*l.* available as dividend upon 720,000*l.*, the estimated outlay, or about 6½ per cent. from shipping and commercial sources.

(signed) *F. Gisborne.*

Melbourne, 16 March 1860.

The Honourable the Postmaster General, &c. &c. &c.

General Post Office, Melbourne,
19 March 1860.

Sir,

I AM directed by the Postmaster General to acknowledge the receipt of your letter of the 16th instant, forwarding a memorandum in reference to the extent to which the proposed submarine telegraph between Moreton Bay and East Java is likely to be used by the Australian Colonies; and I have the honour to inform you that your letter, with its enclosure, and other papers relating to the subject, will be laid before the Legislative Assembly.

I have, &c.

F. Gisborne, Esq., Melbourne Club.

(signed) *William Turner.*

(No. 60/16.)

Colonial Secretary's Office,
Sir, Sydney, New South Wales, 10 February 1860.

I HAVE the honour to transmit to you a copy of resolutions passed, on the 2d instant, by the Legislative Assembly of this Colony, respecting a subsidy in aid of the construction and maintenance of a telegraphic line to East Java; and to state that it has been intimated to Mr. F. Gisborne, who has come to Australia for the purpose of furthering the establishment of such a line, that the Government will be prepared to enter into an arrangement with any company of approved stability for carrying out the object in question, upon the basis of the resolutions.

2. You will observe that the Resolutions make it a condition that the concurrence of the Colony of Victoria to such an extent as may be necessary for carrying out the proposed work shall be obtained; and I have accordingly to request that you will be good enough to inform this Government of any arrangements which may be made in consequence by the Government of Victoria.

3. The resolutions have been communicated by me to the Government of New Zealand and Queensland, with a view to ascertain their willingness to co-operate in the proposal.

4. I enclose, for your information, printed copies of the papers on this subject, which have been laid before the Legislature of this Colony.

I have, &c.
(signed) *William Forster.*

The Honourable the Chief Secretary, Victoria.

[*Note.*—The copies of resolutions and the printed papers referred to herein (except the printed paper immediately following) form part of the enclosures to Mr. Gisborne's letter of 17th February 1860, to the Honourable the Postmaster General.]

(G. B.—1298.)

Chief Secretary's Office, Melbourne,
Sir, 29 February.

IN reference to your despatch of the 10th instant, I have the honour to state that the whole subject of European and Australian telegraphic communication having been submitted by the Honourable the Postmaster General of Victoria to the Government, it has been decided, after mature deliberation, to be essential that accurate information should be obtained as to the tariff of charges for the transmission of messages through the line of telegraph proposed to be established.

It is, therefore, considered requisite that the Government should be supplied with the actual charges now levied for through messages at the stations already opened on the proposed route from Australia to Europe, the charges it is proposed to levy for similar messages over the lines in process of construction, and over those contemplated, whether under the control of the British Government or foreign powers, and also the proposed tariff for the transmission of messages over the submarine line from Moreton Bay to Java, and over the land line from Albury to Moreton Bay.

It is deemed absolutely necessary that it should be ascertained what will be the actual cost for the transmission of messages from Victoria to Great Britain, as upon that must rest the probability of any profit being derived from the undertaking, as well as of any adequate advantage resulting from the expenditure of so large an annual sum as it would appear this Colony is expected to contribute in the event of its being decided to adopt the scheme in question.

I have further to state that it has been determined in the event of the concurrence of the Government of this Colony being given to the scheme, the guarantee of the subsidy required from New South Wales and Victoria respectively, should in the first instance, and throughout, be a joint and equal one, and that the actual payment of each should be in proportion to the use made of the telegraph by each Colony.

I have, &c.
(signed) *William Nicholson.*

The Honourable the Colonial Secretary,
New South Wales.

Sir, Melbourne Chamber of Commerce, 29 February 1860.

REFERRING to my letter dated 3d August 1859, addressed to the late Postmaster General, expressing the views of this Chamber with regard to the important subject of telegraphic communication with Europe, I have the honour to inform you that the subject has recently been brought again under the consideration of this committee by a letter from F. Gisborne, Esq., and by receipt of copy of resolutions passed on the 2d instant by the Legislative Assembly of New South Wales for subsidising a submarine telegraph to

Java, and for making arrangements with the Government of this Colony for the residue of the annual subsidy which may be necessary for the carrying out of the work. I am now instructed to hand, on the other side, a copy of a resolution passed at the last meeting of this committee after a full re-consideration of the question.

I have, &c.
(signed) *John Russell*, Secretary.

The Honourable the Postmaster General.

Resolution passed at a Meeting of the Committee of the Melbourne Chamber of Commerce, held 27 February 1860.

Resolved,—"That this committee having previously expressed its opinion of the desirability of telegraphic communication with Europe, hereby recommends this Government to grant such proportion of any subsidy required for that purpose as may be considered equitable."

(M.—60—541.)

General Post Office, Melbourne,
Sir, 5 March 1860.

I am directed by the Postmaster General to acknowledge the receipt of your letter of the 29th ultimo, transmitting copy of a resolution passed by a Committee of the Melbourne Chamber of Commerce, recommending the Government to grant an equitable proportion of the subsidy required for telegraphic communication with Europe; and, in reply, I have the honour to state that the resolution will be considered by the Cabinet when the general question of subsidising a scheme for telegraphic communication with Europe is to be decided.

I have, &c.
John Russell, Esq., Secretary, (signed) *William Turner*.
Melbourne Chamber of Commerce.

(C.—60—134.)

Sir, Town Hall, Melbourne, 6 March 1860.

In accordance with the wishes of the Council of the City of Melbourne, I do myself the honour to forward herewith the copy of a resolution on the subject of the proposed scheme for extending a submarine telegraph from Moreton Bay to East Java, thereby completing the line of communication between Great Britain and Australia; which resolution was adopted by the council at the meeting held on Monday the 27th ultimo.

I have, &c.
(signed) *Richard Eades*,
The Honourable the Chief Secretary, &c. &c. &c. Mayor.

Resolved,—On the motion of Councillor Walsh, seconded by Alderman J. T. Smith,—"That this council expresses its satisfaction at learning the success of the steps taken by Francis Gisborne, Esq., towards maturing the proposal for the extension of telegraphic communication between Great Britain and Australia; and also its earnest hope that the negotiations in which he is engaged with the Government of this Colony may result in the early accomplishment of an undertaking fraught with such great advantages, commercial and otherwise, to this community. And that this resolution be embodied in a communication to be forwarded to the Honourable the Chief Secretary."

Sir, Melbourne, 19 March 1860.

As agents for Messrs. W. T. Henley & Co., manufacturers of submarine cables and telegraphic instruments, we do ourselves the honour of addressing you upon the proposed scheme for uniting England and these Colonies by telegraph. And we do this the more boldly, because the line proposed is the first, and upon its success will depend the favour or disfavour with which schemes for electric communication with England will be regarded for many years. Had the first Atlantic cable been perfect, there can be little doubt several others would, ere this, have been submerged between England and America.

We observe Mr. Gisborne proposes a cable similar to that used in the Red Sea, and elsewhere; on this we quote from Henley & Co.'s letter of October 15th:—

"Mr. Gisborne will, no doubt, strongly advocate a cable similar to the Red Sea line; but it will be a great mistake to adopt it. We have been engaged in the Mediterranean with the 'Lady Seale,' endeavouring to repair the damaged cable of exactly similar construction, but it's too weak to bear lifting, and, we doubt not, will have to be abandoned. Now the Corfu line is down, and we understand the 'Berwick' has experienced the same difficulty in making that good. This, too, is a precisely similar cable, and both were laid by Messrs. Newell & Co."

Referring

Referring to the price proposed, Henley and Co.'s letter of the 16th January 1860, states:—"We should be glad to give the colonies the communication Mr. Gisborne proposes at about half the sum he names."

Remembering that the subsidy proposed to be paid by the Colonies has intimate relation to the cost of the line, and that the knowledge which can be brought to bear upon the class and manufacture of the cable is necessarily very limited in these outlying Colonies, we would, with all deference, suggest that it might be worth while for the Colonial Governments interested to stipulate that the manufacture of any cable to be laid should be open to competition, and that, both in description and cost, it should be subjected to the approval of certain eminent engineers to be named by them.

We are quite satisfied that Sir Charles Bright and Mr. Latimar Clark, who, from their positions as superintendents of all kinds of cable work, must have experience and knowledge in such matters very much beyond that of others, would, for a sum which in proportion to the interests involved would be infinitessimal, give their best attention to the character and manufacture of the cable. Their identification with it, as approvers, would ensure the bestowal upon it of all the care necessary to support their high professional reputations.

We are, &c.

To the Honourable J. R. Bailey, Esq., Postmaster General, &c. &c.

(signed) *Sprigg, Addison, and Co.*

VICTORIA.—1859-60.

CORRESPONDENCE in connexion with TELEGRAPHIC COMMUNICATION between GREAT BRITAIN and AUSTRALIA.

(Presented to both Houses of Parliament by his Excellency's Command.)

Mr. *Murray* to Mr. *Merivale.*

Sir, Foreign Office, 6 February 1860.

I AM directed by Lord John Russell to transmit to you, to be laid before his Grace the Duke of Newcastle, a copy of a note from the Netherlands Minister at this Court, announcing the completion of the telegraphic cable between Singapore and Batavia, and communicating the desire of the Netherlands Government to see this line placed in communication with the British telegraphic lines in the East Indies, as well as with those which are intended to be laid down to China and Australia. 4 Feb. 1860.

I have, &c.

Herman Merivale, Esq., &c. &c. &c.

(signed) *James Murray.*

My Lord, Londres, le 4 Fevrier 1860.

V. S. aura, sans doute, appris avec intérêt que le cable télégraphique, destiné à relier Singapore à Batavia, vient d'être posé avec un heureux succès. Le Gouvernement du Roi, tout en appréciant l'utilité de ce nouveau moyen de communication, est, cependant, persuadé que l'importance de cette mesure ne sera complétée que lorsque cette ligne aura été reliée au réseau télégraphique dans les Indes Britanniques, et plus particulièrement lorsque la Chine et l'Australie seront unis également en communication avec l'Europe. Je viens d'être chargé par mon Gouvernement de fixer l'attention de V. S. sur ce sujet, et de lui témoigner combien le cabinet de la Haye serait heureux de voir le Gouvernement Britannique procéder dans le délai le plus bref possible à cette jonction si désirable, maintenant surtout que de son côté le Gouvernement du Pays-bas a réussi dans la pose du cable télégraphique reliant ses possessions à celles de S. M. Britannique.

S. E. Lord John Russell, &c. &c. &c.

J'ai l'honneur, &c. *Bentinck.*

Sir, Downing-street, 17 February 1860.

I TRANSMIT herewith for your information the copy of a note from the Netherlands Minister at this Court, which has been received through the Foreign Office, announcing the completion of the telegraphic cable between Singapore and Batavia, and communicating the desire of his Government to see this line placed in communication with the British telegraphic lines in the East Indies, as well as with those which are intended to be laid down to China and Australia. 4 Feb. 1860.

I have, &c.

Governor Sir Henry Barkly, K.C.B., &c. &c. &c., Victoria.

(signed) *Newcastle.*

VICTORIA.

VOTES AND PROCEEDINGS of the LEGISLATIVE ASSEMBLY.—No. 89.

Wednesday, 23 May 1860.

ASSEMBLY met pursuant to adjournment.—Mr. Speaker took the Chair.

Telegraph Communication with India and Europe.—Mr. Lalor reported from a Committee of the whole House certain Resolutions, which were read, and are as follows:—

Resolved—

II. That the Government of this Colony be authorised to grant, in conjunction with the Imperial Government, and with all or any of the Australian Colonies, an annual subsidy, not exceeding in the whole 35,000 *l.* for a term not exceeding 21 years, to any company of whose stability satisfactory assurance shall be given, to induce such company to construct and maintain a line of telegraph which shall connect this Colony with any portion of the Indian and European telegraph lines at present in working, or that may hereafter be constructed, upon the following conditions:—

(1). That such company shall, within two years after a contract has been entered into, construct such line of telegraph, unless prevented by war or the dangers or accidents of the seas, and afterwards maintain it in working order at its own expense.

(2.) That the proposed subsidy shall be proportionably payable on the capital of the company actually paid up and expended, and shall not exceed five per cent. on such capital. And the contract for the manufacture and laying of the cable shall be open to public tender, and the lowest tender accepted, the satisfactory nature of which competent electricians in England shall determine.

(3.) That no payment of such subsidy shall be made until the line of telegraph to be constructed has been in working order for three consecutive months; and such payments shall be made rateably only for the period during which the line so constructed is open for the transmission of messages.

(4.) If such line shall be closed, unless by reason of war, or shall not be in a state of efficiency for the transmission of messages for any 18 consecutive months, then the contract with such company shall be void.

(5.) That a tariff of charges for the transmission of messages over such line shall be agreed to by the several contracting governments and the company before any contract is entered into, and such tariff shall not afterwards be altered without the concurrence of such governments.

(6.) That in the event of the net profits of the company exceeding in any year the rate of 10 per cent. per annum, inclusive of the subsidy, such excess shall be rateably applied to reduce the respective contributions of the contracting governments.

III. That the proportion of the entire annual subsidy to be granted as the contribution of this Colony shall not exceed the sum of 13,000 *l.* in any one year.

IV. That in any agreement which may be entered into with any other Colony, for the purpose of making up the amount of subsidy required, it shall be an express stipulation that the actual annual payments of such Colony and of this Colony shall be in proportion to the value of the messages transmitted by each along the line in every year.

V. That upon the completion of the preliminary arrangements for a contract, in terms of the foregoing Resolutions, a Bill be brought in for the purpose of authorising the annual expenditure required.

VI. That these Resolutions shall be in force only for two years, and shall be forthwith published in the United Kingdom.

Mr. Bailey moved, That the above resolutions be now read a second time.
Debate ensued.
Question—put and resolved in the affirmative.

Mr. Bailey moved, That the Assembly do now agree in the above resolutions.
Debate ensued.
Question—put and resolved in the affirmative.

Ordered, That an Address be presented to His Excellency the Governor, forwarding to His Excellency the several resolutions agreed to by this House in relation to telegraphic communication with India and Europe.

Assembly adjourned at fifteen minutes to twelve o'clock until four o'clock on Tuesday next.

Frans. Murphy, Speaker

Enclosure 2, in No. 6.

Mr. *Gisborne* to the Duke of *Newcastle.*

My Lord Duke, 6, Duke-street, Adelphi, W.C., 17 August 1860.

I HAVE the honour to enclose the resolutions passed by the Legislative Assembly of New South Wales, and similar resolutions passed by the Legislative Assembly of Victoria, respectively subsidising the proposed submarine line of telegraph, beginning at the east point of Java and extending to Moreton Bay, on the east coast of Australia, which will complete telegraphic communication between England and her Australian Colonies, when the lines which for some time back have been in progress are completed. I also beg to enclose, in copy, two letters addressed by me to his Excellency Sir Henry Barkly, Governor of Victoria, on the 12th and 27th June last; also a letter addressed to his Excellency Sir W. T. Denison, Governor of New South Wales, on the 17th June last; and a letter I addressed to his Excellency Sir Henry Young, Governor of Tasmania, of the same date; also a map, showing the course of the proposed line. These various documents will place your Grace in possession of the exact position of the question. I am myself only just returned from Australia, but I find that many documents relating to the subject have been already communicated to Parliament, and printed.

See p. 18, and p. 30.

When I left England for Australia, on behalf of the promoters of the Anglo-Australian Telegraph, 15 months ago, your Grace's predecessor in office, Sir E. B. Lytton, addressed a circular Despatch to the Governors of the several Australian Colonies, introducing me, and directing their attention to the principle which Her Majesty's Government had determined to observe in granting financial assistance to telegraph lines, namely, to make such financial assistance conditional on the successful completion and maintenance of the lines in proper working order.

Your Grace will observe that the payment of the annual subsidy of 23,000 *l.* voted by the Legislatures of New South Wales and Victoria, is made to depend on the strict observance of that principle.

I at first found the Australian Colonies unprepared to deal with the question of telegraphic communication with the mother country, though already much interested in it, and indeed anxious to see it established.

I also found the several Colonies too widely diverging in their views as to the route to be adopted, and on many other important points readily to adopt any definite or joint action.

The importance of the question, however, ultimately recommended itself, and became understood; and in the result the route to be adopted, the amount of subsidy to be granted, the principle of distributing the liability in respect of it among the several Colonies, and generally, the whole mode of action in this extensive and important question, are matters which are now virtually accepted and settled.

I am aware that South Australia takes exception to the proposed route, but your Grace will find that my statement is notwithstanding correct.

My present object is merely to place your Grace in possession of the results of my mission to Australia, which Her Majesty's Government has kindly aided.

I have, &c.

His Grace the Duke of Newcastle, (signed) *F. Gisborne.*
&c. &c. &c.

Sir, Melbourne, 12 June 1860.

I WOULD desire to address your Excellency upon the present position of the question of telegraphic communication with England, and to ask for certain information on behalf of the promoters, whom I represent, to aid them in their efforts to carry out that object, the more so as I return home by the next mail, and future communications will be difficult.

A year's negotiation with several of the Australian Colonies has produced the following results; namely, a subsidy of 9,625 *l.* for 21 years, voted by the Legislature of New South Wales; a subsidy of 13,000 *l.*, voted by the Legislature of this Colony for a similar period, and communications from the Governments of Tasmania and New Zealand, that they are willing to provide a reasonable contribution.

The whole amount of subsidy asked for being 35,000 *l.*, there remains a deficit of 12,375 *l.* to be provided for.

I am aware that a strict interpretation of the New South Wales Resolutions would reduce the amount named in them to 27½ per cent. of 35,000 *l.*, diminished by the contribution, if any, of the Home Government, but I trust that even if the Home Government does contribute something, the New South Wales Government will not insist upon any reduction.

The contribution of New South Wales was however calculated to include the contribution of Queensland and New Zealand, that of Victoria is limited to herself.

Such is my understanding of the effect of the two sets of resolutions already passed, and the deficit of 12,375 *l.* has therefore to be made up between South Australia, Tasmania, and the Home Government.

Under these circumstances I would desire to be informed upon the following points, if your Excellency's Government are in a position to give the information. 1st. What pro-

portion of the whole subsidy will the Home Government be asked to contribute? and, 2dly, Whether your Government will use their best endeavours to obtain from Parliament or the other Colonies such amount as may remain unprovided for after the intentions of the Home Government have been signified. I further trust that your Excellency will see reason to place the promoters in possession of every possible information, so as to facilitate the action of all parties who are interested in carrying out the important object in view. I desire to press upon your Excellency's attention that the contract with the company need not be delayed beyond the time necessary to ascertain that a sufficient number of Colonies will join in an inter-Colonial agreement to provide the whole amount, basing the actual payments of each Colony upon the value or number of its messages. One or two Colonies can then safely contract with the company for the entire subsidy.

I would also direct your attention to two points affecting the raising of the necessary capital for the undertaking, in which the Victorian Resolutions differ from those of New South Wales; first, in not allowing interest during the period of construction; and, secondly, in not giving a reasonable time for repairing the cable, in case of fracture, during which the currency of the subsidy shall not be suspended. The latter point, though not conceded in terms, is not inconsistent with the New South Wales Resolutions.

There are many other very important points involved in this extensive subject, upon the proper determination of which will depend the successful and early establishment of telegraphic communication with England, but I know that your Excellency has given them all your mature consideration, and I have therefore confined myself to those matters which more immediately affect the company.

The course of the last 12 months' negotiation has, I think, pretty fully raised, if it has not determined them all.

I also beg to be informed whether the Government will be prepared to enter into an arrangement with the promoters whom I represent when the preliminary matters have been settled, which are still under negotiation. An assurance to that effect will place the promoters in a position to mature the question in England.

I have, &c.
(signed) *F. Gisborne.*

His Excellency Sir Henry Barkly, K.C.B.,
Governor, &c. &c. &c., Melbourne.

Sir, King George's Sound, 26 June 1860.

I BEG to call your attention to the questions asked by me, on behalf of the promoters of the Anglo-Australian telegraph, of your Government, in my letter to your Excellency of the 12th instant, and to state that it will probably prove impracticable for the promoters to take any further steps to advance their undertaking until they are furnished with the answers to those questions.

I therefore trust your Excellency will, if possible, procure me an answer by the next mail. I write now because, if I waited till I reached England, there would be a delay of three months.

I have, &c.
(signed) *F. Gisborne.*

His Excellency Sir H. Barkly, K.C.B.,
Governor, &c. &c. &c. Melbourne.

Sir, Melbourne, 17 June 1860.

I HAVE the honour to enclose the resolutions passed by the Legislative Assembly of Victoria, granting a subsidy towards the establishment of telegraphic communication with England.

The first condition annexed to corresponding resolutions of New South Wales was, that the Government of Victoria should grant the residue of the subsidy required for the undertaking over the amount voted by New South Wales.

The Legislature of Victoria having, however, decided that the Home Government should be asked to contribute, a smaller amount was voted here than would otherwise have been the case.

The basis upon which both sets of resolutions proceed is, that 35,000*l.* a year will be required to enable the necessary capital to be raised in England.

Of that amount, New South Wales has granted 27½ per cent., or 9,625*l.*; Victoria, 13,000*l.* Tasmania has promised a contribution, which I understand is likely to amount to 4,000*l.* a year. These different sums leave a deficit of 8,375*l.* to be provided for. In case, however, the Home Government contribute, the basis of the New South Wales resolutions would in strictness reduce the amount named in them to 27½ per cent. of the whole subsidy, less the amount contributed by the Home Government; but I trust this will not be insisted on, even should the case arise.

Moreover, the contribution of New South Wales covers the shares of Queensland and New Zealand; that of Victoria only represents her own share.

The deficit, therefore, of 8,375*l.* must be ultimately provided for by South Australia and the Home Government, which has not yet been applied to. Should, however, a mutual understanding be at once come to by all the Colonies to provide amongst themselves the whole subsidy, leaving the actual payments of each to be determined on every year by the value

value or number of its messages, one or two Colonies might then safely undertake the contract with the company for the entire amount.

In that case the contracting Colonies would have to appoint agents in London, to put themselves into communication with an approved company. Each side would appoint engineers to decide upon the class of cable; tenders would then be called for; and the whole outlay and capital being thus fixed, the agents should have power to enter into a provisional agreement, undertaking to give the company a certain subsidy on certain conditions, if by a day named the whole amount of capital was subscribed for, and a certain per-centage paid up. Such was the course adopted by the Imperial Government in the case of the Red Sea and Indian line.

I can see no necessity for delay, considering the small amount still unprovided for, if the machinery of an inter-colonial agreement be adopted at once.

Now that all the lines between Java and England are either completed or in rapid progress, and telegraphic communication is brought within 1,000 miles of the northern coast of Australia, I trust no delay will take place in extending them to the Colonies.

I am, &c.

His Excellency Sir W. T. Denison, K.C.B., Governor General, &c. &c. &c. Sydney.

(signed) *F. Gisborne.*

Sir, Melbourne, 17 June 1860.

I HAVE the honour to enclose the resolutions passed by the Victorian Legislative Assembly, granting a subsidy towards telegraphic communication with England.

A year's negociation has enabled me to obtain 9,625 *l.* a year from the Government of New South Wales; 13,000 *l.* from the Government of Victoria, and the promise of a contribution from your Government and that of New Zealand.

The basis of my proposal is, as you are aware, that 35,000 *l.* a year will be required to raise the necessary capital in England to construct a submarine line from East Java to Moreton Bay, the estimated outlay being based upon the cost of the Red Sea and Indian line, of the same length.

The amounts actually voted leave a deficit of 12,375 *l.* to be provided for.

The contribution of New South Wales including the shares of Queensland and New Zealand, this deficit has to be made up between Tasmania, South Australia, and the Home Government, which has not yet been applied to.

All delay would, however, be avoided if the several Colonies came at once to a mutual understanding to provide amongst themselves the whole subsidy, leaving the actual payments of each to be determined in every year by the value or number of its messages.

In that case one or two Colonies could safely undertake the contract with the company for the entire amount.

The contracting Colonies would have to appoint agents in London to put themselves into communication with an approved company. Each side would appoint engineers to decide upon the class of cable; tenders would then be called for, and the whole outlay and capital being thus fixed, the agents should have power to enter into a provisional agreement, undertaking to give the company a certain subsidy, on certain conditions, if by a day named the whole amount of capital was subscribed for and a certain per-centage of it paid up.

Such was the course adopted by the Imperial Government in the case of the Red Sea and Indian line.

Now that all the lines between Java and England are either completed or in rapid progress, and telegraphic communication is brought within 1,000 miles of the northern coast of Australia, I trust no delay will take place in extending them to the Colonies.

I have, &c.

His Excellency Sir Henry Young, K.C.B., Governor, &c. &c., Tasmania.

(signed) *F. Gisborne.*

P.S.—I return to England by the mail, which leaves to-morrow. I beg to state that my London address is—6, Duke-street, Adelphi, W. C.

Enclosure 3, in No. 6.

Mr. *Gisborne* to the Duke of *Newcastle.*

6, Duke-street, Adelphi, W. C.,

My Lord Duke, 23 November 1860.

I HAVE the honour to enclose, in copy, for your Grace's information, a letter addressed to me at the desire of Sir G. F. Bowen, dated 10th July last, enclosing a letter written at his Excellency's desire to the Colonial Secretary of New South Wales, upon the subject of the proposed telegraph to Australia, also a letter written to me by Sir Henry Barkly, dated 24th August last, enclosing a memorandum by the Postmaster General of Victoria upon the same subject, dated the 16th June last.

See p. 9.

I understand that now the proposal of the Victorian to the Home Government is, that the subsidy which may be required to raise the necessary capital for the proposed line shall be equally borne by the two Governments. Your Grace will observe by the enclosed memorandum that Victoria looks to diminishing her contribution by the proportionate contributions of South Australia, Tasmania, and Western Australia; that would leave the contribution of the Home Government to be diminished by the proportionate contributions of New South Wales, Queensland, and New Zealand. New South Wales has already voted 10,000 *l.* a year for the establishment of the telegraph, and the two other Colonies have promised to contribute. Moreover, a natural basis exists by which to settle the amount of contribution in each case, by taking the number or value of the messages sent from each Colony.

I am aware that doubt exists as to the means to be adopted to re-establish telegraphic communication with India, which has now been many months interrupted, but it cannot be doubted that the communication will be re-established before it will be wanted for Australian purposes, and, besides, the proposed Australian line has an independent value.

It will place the Colonies in instantaneous communication with Java, and greatly lessen the distance to China, with both of which countries theyhave considerable trade. It will also place them in instantaneous communication with Galle, and thus shorten the distance to England by 22 to 24 days. Your Grace is aware that the cable to be laid between Rangoon and Singapore is now being shipped.

South Australia is the only Colony that objects to the route proposed to be followed by the telegraph, and even her objection is not unlikely to be removed.

Her Majesty's Government will retain control over the line by being a contributing party.

I have, &c.

His Grace The Duke of Newcastle, &c. &c. &c.

(signed) *F. Gisborne.*

(Victoria—No. 52.)

Governor Sir *H. Barkly* to Mr. *Gisborne.*

Sir, Government Offices, Melbourne, 24 August 1860.

I HAVE to acknowledge the receipt of your letter of the 26th June from King George's Sound, requesting on behalf of the promoters of the Anglo-Australian Telegraph, replies to the questions put by you before leaving this Colony as to the intentions of this Government in relation to that enterprise.

I would have answered this communication by last mail had it been in my power to give you any more definite information on the subject than that contained in the memorandum from my Postmaster General, which was read to you at the time, and of which I now enclose copy, as it still constitutes the only answer I can furnish.

Circulars were, as therein stated, forwarded to the Governments of the other Australian Colonies inviting their co-operation in securing telegraphic communication on the terms specified in the resolutions of the Victorian Assembly, but the result as yet is not such as to induce my advisers to authorize my making any application to the Imperial Government on the subject. The Government of South Australia refused to subsidize any line which followed the route by the eastern coast of Australia; that of Tasmania promised to bring the question as to the amount of subsidy under the consideration of the Legislature; whilst that of New South Wales, though a second letter calling attention to the former one has been despatched since the receipt of yours, has, up to the present moment, not taken the slightest notice of either communication.

So soon as any conclusion is come to by this Government you may depend upon my announcing it to the Colonial Office.

I remain, &c.

F. Gisborne, Esq.

(signed) *Henry Barkly.*

MEMORANDUM.

ON returning the accompanying letter from Mr. Gisborne, with your Excellency's minute of the 13th instant thereon, I have the honour to state that I quite concur with your Excellency in the opinion that the promoters of theAustralian and European Telegraph should as soon as possible be put in possession of the views entertained by this Government respecting the future prosecution of the enterprise, and of the conduct of the necessary negotiations with all parties concerned.

Before the resolutions were finally reported to the Legislature I had an interview with Mr. Gisborne, in the course of which I indicated to that gentleman the views in which I thought my colleague would coincide, but I did not understand at that time that Mr. Gisborne wished for any official communication on the subject until some definite result had been arrived at. It was always my intention to place Mr. Gisborne in possession at the earliest possible period of any information I had at my disposal, that was, in my

my opinion, likely to be serviceable to the promoters of the undertaking under consideration.

I have already had the honour of informing your Excellency verbally, that the resolutions have been forwarded through the Chief Secretary to the respective Governments of the Australian Colonies, accompanied by a communication inviting the co-operation of each Colony in securing telegraphic communication with India and Europe upon the terms specified in the resolutions arrived at by the Legislature of Victoria; and that it has been requested that, should any of the matters referred to in the resolutions not meet the concurrence of the respective Governments, their views upon the subject generally may be made known as early as convenient.

Pending the replies from the Colonies interested, none of which have yet been received, it is not considered by myself and colleagues that further steps would lead to any practical advantage.

With reference, however, to the two prominent questions put by Mr. Gisborne, I would beg to state that when replies from the other Colonies are received, it is the intention of the Cabinet to forward the correspondence and resolutions to your Excellency, in order that the subject may be brought under the notice of the Home Authorities, with a request that they will sanction the contribution of a moiety of the required subsidy in support of the scheme that may be jointly decided upon by the majority of the Colonies. In the event of the concurrence of the British Government, it is proposed that the resolutions arrived at shall be published, with the view to obtain the most advantageous offers from any company of capitalists prepared to construct and maintain the line upon the terms proposed, and on the understanding that the lowest satisfactory tenders for the manufacture and laying of the cable be accepted by such company.

Should, however, the British Government decline to contribute towards the construction of the Australian line, and the sums proposed to be contributed as subsidy by the Colonies be deemed by capitalists insufficient, it is intended to remit the subject to the Legislature of this Colony for further consideration.

Until these matters have been finally decided, it is not considered expedient by myself and colleagues to enter into any engagements with the promoters represented by Mr. Gisborne, or with any other capitalists, for the construction of a line of telegraph, the route of which has yet to be determined. I may however state that it is the opinion of the Cabinet that when the Government is in a position to conclude a contract for the construction and working of the line contemplated, and all other things being equal, the preference should undoubtedly be given to the company represented by Mr. Gisborne.

In conclusion, I have the honour to remark that Mr. Gisborne appears to entertain a view, relative to the 13,000 *l.* proposed to be contributed by this Colony, contrary to that held by your Excellency's advisers, who are of opinion that the amount named is intended to cover the contributions of South Australia, Tasmania, and Western Australia, and that any sums received from those Colonies should be applied as portions of the amoun guaranteed by Victoria.

(signed) *John R. Bailey*

General Post Office, 16 June 1860.

Note.—Other Papers, forming Enclosures to No. 6, have already been printed in the Appendix to the Third Report of the Select Committee on Packet and Telegraphic Contracts.

— No. 7. —

The Secretary to the Treasury to Mr. *T. F. Elliot.*

Sir, Treasury Chambers, 11 January 1861.

The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 29th ultimo, enclosing papers relative to the establishment of telegraphic communication between Europe and Australia, and they direct me to request that you will express their regret to the Duke of Newcastle that they cannot co-operate with the Governments of Australia to establish the proposed communication.

The chance of such an undertaking being successfully carried out is at present so uncertain, that my Lords would not feel themselves justified in applying to Parliament, to add to the serious liabilities which Her Majesty's Government have already incurred in respect of lines of telegraph, which it was supposed could easily be established, but which have as yet resulted only in failures, owing to the unforeseen difficulties which have attended the laying and maintenance of submarine cables.

I am, &c.

T. F. Elliot, Esq., &c. &c. &c.

(signed) *F. Peel.*

— No. 8. —

The Secretary to the Board of Trade to the Secretary to the Treasury.

Office of Committee of Privy Council for Trade,
Sir, Whitehall, 15 January 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to enclose to you, to be laid before the Lords Commissioners of the Treasury, a copy of a letter, with its enclosure, which my Lords have this day received from Messrs. Gisborne & Forde, on the subject of the Rangoon and Singapore Telegraph Cable, now being removed from the "Queen Victoria" at Plymouth, and of the reply of my Lords to that letter.

I have, &c.
The Secretary to the Treasury, (signed) *James Booth.*
&c. &c. &c.

Enclosure 1, in No. 8.

6, Duke-street, Adelphi, W. C.,
Sir, 14 January 1861.

APPENDED are extracts from reports of Mr. Laws, who is at Plymouth, relative to the steps being taken to save the cable out of "Queen Victoria."

We have reason to believe that everything is being done that can be done under the circumstances.

As long as the temperature of the cable does not exceed 67°, we are of opinion it is best to keep it dry; but it is important that the brigs into which the cable is coiled should be moored side by side in Keyham steam basin, in the position pointed out by Mr. Laws, so as to be in a position to deal at once with any sudden rise of temperature. We shall feel obliged by your moving the dockyard authorities to have this done at once. We have ordered 20 feet of the most rusted cable, and which has been subject to most heat, to be tested for strength, so as to compare the result with the tests made at the time the cable was designed by us. We will also strip a length of core from the portion most heated to see whether any electricity has taken place in the copper conductor. A sample of this stripped gutta percha will be sent to Dr. Miller to analyse against fresh-made gutta percha.

Although we have carefully abstained from taking any responsibility in saving this cable, which we assume to belong, *ad interim*, to the underwriters, we are watching the whole proceeding in detail, and should any unexpected emergency arise, one of us will go down to Plymouth to advise with Mr. Laws and the contractors' agents.

Yours, &c.
J. Booth, Esq., Board of Trade. (signed) *Gisborne & Forde.*

P.S.—We shall in future send you in a weekly report of all that is doing, both at Greenwich and Plymouth, with respect to this cable.

G. & F.

EXTRACT from Letter from Mr. *Laws* to Messrs. *Gisborne & Forde*, dated Plymouth, 11 January 1861.

THE "Pilot" was taken this afternoon up the river to No. 15 Buoy, which is at Willcove. It is immediately opposite the new powder magazine, which is a little further up the river than Keyham steam yard, as you will see by the chart forwarded. This proceeding will render it impossible for Mr. Sonnermann to test the cables in the "Victoria" and the brigs, which are moored astern, as well as the cable on board the brig "Pilot" at Willcove, the distance between them being one mile and a half. As the cable on board the brig "Pilot" is most likely to show the first symptoms of heating, Mr. Sonnermann will for the present test that only.

Cables still test well. Temperature about the same as yesterday. Test taken immediately before cutting the cable this morning.

EXTRACT from Letter from Mr. *Laws* to Messrs. *Gisborne & Forde*, dated Plymouth, 13 January 1861.

I HAVE forwarded by this night's mail train a piece of cable which was cut from the end of the coil on board the brig "Pilot," 11th January, when that vessel had all the cable on board that she was capable of taking. Only the outside of iron wires are rusted, as you will see by specimen forwarded. The hemp serving is very much darker now than it was when first placed round the core; but this feature is the same in all cables that I have seen. The serving, to all appearance, contains but very little moisture. Shall I have cut from the coil, and forward to you, a sufficient length to enable you to ascertain the breaking strain?

At 1 p.m. this day the coiling on board the brig "Rover," from the forehold of the "Victoria," was completed. The "Rover" has now on board 23 miles of shore-end, and 105 miles of deep-sea, leaving in forehold "Victoria" 84 miles deep-sea. The brig will go up the river to-morrow morning, but the position she will occupy is not known at present.

Mr. Sonnermann's test of yesterday shows the temperature of the cable on board the "Pilot" to be the same as the preceding day, 64° Fahrenheit. As it is coiled loosely, perhaps the temperature will not increase beyond this point.

It is very desirable that the brigs, when the coiling is completed, should be taken into Keyham steam basin, and not up the river, as it appears is the intention. If they are taken into Keyham they can be kept side by side; and there is an unlimited supply of fresh water by hose; the whole of the cables can also be tested daily, which will be quite impossible if they remain in the river, as they will be some considerable distance apart. There could not be a better place for taking the cable out of the brigs than Keyham basin, and water-tight tanks might be made close to the basin if desirable. It of course offers the same facilities for re-shipment.

If the cables are taken out of the brigs directly, I do not think they will be found injured in the slightest.

I suggested to Mr. Temple that the vessels should be taken in dock and the water admitted, so as just to cover the coils; but he was unable to obtain the permission from the dockyard, they requiring the use of all their dry docks.

Enclosure 2, in No. 8.

Office of Committee of Privy Council for Trade,
Whitehall, 15 January 1861.

Gentlemen,

I AM directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of yesterday's date. With reference to your statement that it is important that the brigs into which the Rangoon and Singapore cable is coiled should be moored side by side in Keyham steam basin, so as to be in a position to deal at once with any sudden rise of temperature, and your request that my Lords would move the dockyard authorities to have this done at once, I am to state to you that the steps being taken for the recovery and preservation of the cable are under the direction of Messrs. Glass & Co., the contractors, and my Lords cannot take upon themselves to give any directions that might interfere with their responsibility in this matter. My Lords cannot doubt that Messrs. Glass & Co. will readily attend to any suggestion of yours for making any reasonable arrangement that may afford due facilities for the proper testing of the cable, and if Messrs. Glass & Co. should meet with any difficulty in obtaining such assistance from the dockyard authorities as may be necessary, my Lords will be prepared to give immediate attention to any application from them on the subject. It does not appear from your letter on Mr. Laws' reports that any difficulty of this kind has been experienced.

I am, &c.

Messrs. Gisborne & Forde.

(signed) *James Booth.*

— No. 9. —

The Secretary to the Board of Trade to the Secretary to the Treasury.

Office of Committee of Privy Council for Trade,
Whitehall, 23 January 1861.

Sir,

WITH reference to my letter of the 15th instant on the subject of the removal of the Rangoon and Singapore telegraph cable from the "Queen Victoria" at Plymouth, I am directed by the Lords of the Committee of Privy Council for

for Trade to transmit, for the information of the Lords Commissioners of Her Majesty's Treasury, the enclosed Reports which they have received from Messrs. Gisborne & Forde on the present state of the entire cable.

I have, &c.

The Secretary, Treasury. (signed) *James Booth.*

Enclosure in No. 9.

FALMOUTH and GIBRALTAR TELEGRAPH.—ENGINEER'S DEPARTMENT.

REPORT on the state of the Cable on board the "Rangoon" and in the Tanks at the Manufactory.

SINCE my last report, and as was then mentioned, water has been constantly pumped over the coils on board the ship.

The cables on the contractors' premises also remain in the same condition as at the last report.

The water-tight tanks for the ships are not yet actually in course of construction, but it is believed that the preliminary arrangements are completed, and that the work will proceed without further delay.

(signed) *Jno. Milner.*

East Greenwich, 22 January 1861.

The foregoing refers to the cable at Greenwich, both on board ship and at the works. Its electrical condition is satisfactory.

The following are extracts from Mr. Laws' letters (received since our last report) relative to the cable at Plymouth.

"Plymouth, 14 January 1861.

"The brig 'Rover' was taken up the river this day, 2.30 p.m. Only five miles of shore-end left in the after-hold of 'Victoria' at the same hour; it will all be out this night."

"Plymouth, 15 January 1861.

"The test of the cable on board the 'Pilot' yesterday gave the same temperature as that forwarded January 12th (64° Fahrenheit). Judging from the state of the cables on board 'Pilot' I think it would be a great deal easier to keep the cable from heating, by the admission of air, as you in a former communication suggested, than by the use of water as hitherto. If pieces of wood were placed between every three or four flakes, of sufficient width as not to injure the cable as the weight increased, it would be, I think, impossible for the cable to become heated to a dangerous extent. It is not at all probable that the water found its way through the entire coil when pumped upon in the 'Victoria,' for the oxide of iron and dirt made it as one mass. A great deal of the oxide and dirt could be cleaned off if desirable when the cable is recoiled. If it is coiled so as to be kept cool by currents of air, this would perhaps be necessary."

"Plymouth, 16 January 1861.

"The temperature of cable on board the 'Pilot' this day is 61° Fahrenheit, which is three degrees lower than its minimum temperature on board the 'Victoria;' no water has been pumped on it since it left the 'Victoria.' Thirty-five miles deep-sea has yet to be taken out of the 'Victoria.'"

"Plymouth, 17 January 1861.

"Mr. Sonnermann has this day tested the cable on board the 'Rover,' and he finds the temperature to be under 60° Fahrenheit. The cable on board the 'Pilot' is also a little lower than it was yesterday.

"A kink came out of the forehold of the 'Victoria' this morning. A bight is left out of the coil on board 'Arachne,' so that it can at any time be cut out and spliced without disturbing the coil. The position of the 'Rover' is about half a mile higher up the river than the 'Pilot.'"

"Plymouth, 18 January 1861.

"The temperature of the cable on board the 'Rover' is 56° Fahrenheit; no water has been pumped on this cable since it was taken from 'Victoria.'

"The bottom part of cable in the forehold of the 'Victoria' is very much bent from the straining of that portion of the ship. It is doubtful if you will be able to make use of the last 30 miles. It coils very badly in comparison with the rest of the cable.

"Another kink came out of the forehold last night. This is left, but the same as the one of yesterday.

"Mr. Temple has not yet received any instructions respecting the vessels being taken into Keyham basin."

"Plymouth, 20 January 1861.

"The whole of the cable is out of the 'Victoria,' and the brig 'Arachne' is taken up the river, and moored a little higher up than the 'Rover.'

"Mr. Temple is exerting himself to protect the cable as much as possible; the dock-yard authorities have lent him tarpaulings to cover the cable with; and we shall call to-morrow

morrow to see if we can arrange matters so as to get the brigs placed in Keyham basin.

"The specimen of cable you wrote for will be forwarded by to-morrow night's train. The last 10 miles of the cable came out much better than the 10 that preceded them.

"The temperature of the cable on board the 'Rover' is still the same, 56° Fahrenheit."

It will be seen by the above extracts from Mr. Laws' reports that the cable has been apparently so well saved and carefully stowed away, that its electrical condition appears to be uninjured, but, before this can be finally certified, it will have to be subjected to a series of very careful electrical tests. The last 30 miles taken out of the forehold appear to have received some outward injuries from the forcing up of the bottom of the ship. This will be specially examined, and any portion that is in any way damaged mechanically or electrically must be rejected.

The three brigs are anchored in different parts of the river, which makes it difficult to take the tests as frequently or as satisfactorily as we should wish. Messrs. Glass, Elliot & Co.'s attention has been drawn to this point in a letter from us of 16th instant, in which we recommend them to apply to the dockyard authorities to have the brigs taken into Keyham steam basin, and moored together, so as to have the whole cable under immediate control. We have requested them to inform us if any difficulty arises in carrying out this arrangement, in which case we shall ask the Board of Trade to move the Admiralty to issue the necessary instructions.

It is highly satisfactory to find that the temperature of the cable on board the brigs is falling, without the necessity of watering. The decrease of temperature is as follows:—

Brig "Rover," on 10th instant, was 63 ; on 21st instant, 56°.
Brig "Pilot," - - ditto - - 64½° - ditto - 60½°.

Should this continue it is best to leave the cable as at present coiled, and not subject it to an additional process of coiling on shore, and again on board ship.

We have received from Messrs. Glass, Elliot & Co. plans and specifications of the iron tanks they propose putting into the "Rangoon" and "Malacca," and for which they have received tenders from some of the principal shipbuilders on the Thames. The plan they recommend appears to be applicable, and we have sanctioned the work being put in hand.

(signed) *Gisborne & Forde.*

22 January 1861.

— No. 10. —

The Secretary to the Board of Trade to the Secretary to the Treasury.

Office of Committee of Privy Council for Trade,
Sir, Whitehall, 1 March 1861.

I AM directed by the Lords of the Committee of Privy Council for Trade to transmit to you, for the information of the Lords Commissioners of Her Majesty's Treasury, the enclosed duplicate copy of the report which they have received from Messrs. Gisborne & Forde of the present state of the Malta and Alexandria telegraph cable.

have, &c.
(signed) *James Booth.*

The Secretary, Treasury.

Enclosure in No. 10.

FALMOUTH AND GIBRALTAR TELEGRAPH.—ENGINEER'S DEPARTMENT.

REPORT on the state of the Cable on board the "Rangoon," and in the Tanks at the Manufactory, from 19th February 1861 to 26th February 1861.

NOTHING has occurred to affect the condition of the cables at Greenwich.

The iron tanks in the "Malacca" are very nearly completed, and the ship may be ready to receive the cable from the "Rangoon" in the course of this week.

(signed) *Jno. Milner.*

Submarine Telegraph Works,
East Greenwich, 26 February 1861.

Our reports from Plymouth are, upon the whole, favourable, although the rough weather on Wednesday and Thursday last caused the hulks, on which the cable is coiled, to roll so much that some of the coils shifted slightly, and one of them upon the upper deck of the brig "Pilot" has got wet, and may perhaps again show slight signs of heating.

Wind-sails have been led into each coil, so as to keep them dry and cool.

The coiling from the "Rangoon" into the "Malacca" will probably commence next week, and will be completed in a fortnight. The tanks on board the "Malacca" appear to have been put up in a workmanlike manner, and will be completed within the time stated.

The cable at Plymouth cannot be again shipped without a settlement being come to with the underwriters, the destination of the cable being now changed from Rangoon to Malta. This is a question which should receive the immediate consideration of Her Majesty's Government; and we would suggest that an officer of the Board of Trade should accompany Mr. Glass and Mr. Milner (on our behalf) to Plymouth, to make out the claim on the underwriters, which will cover all loss, without seeking to make a profit out of the mishap.

(signed) *Gisborne & Forde.*

26 February 1861.

— No. 11. —

Lord *Wodehouse* to the Secretary to the Treasury.

Sir, Foreign Office, 15 May 1861.

With reference to previous correspondence respecting telegraphic communication in the East Indies, I am directed by Lord John Russell to transmit to you, to be laid before the Lords Commissioners of Her Majesty's Treasury, copy of a note from the Netherlands Minister at this court, requesting that his Government may be informed why the projected scheme has not been carried out, so far as the communication between Rangoon and Singapore is concerned.

11 May.

I am to request that, in laying this paper before their Lordships, you will state that Lord John Russell concludes that the answer to Baron Bentinck must be that Her Majesty's Government have for the present relinquished the project in question, and have determined to make use of the cable which had been prepared for a telegraphic line between Malta and Alexandria; but his Lordship would wish to be informed whether the original scheme is altogether abandoned.

I am, &c.

The Secretary to the Treasury, (signed) *Wodehouse.*
&c. &c. &c.

Enclosure in No. 11.

My Lord, Londres, le 11 Mai 1861.

La note que votre Excellence m'a fait l'honneur de m'adresser le 25 Avril de l'année dernière, relativement à l'intention du Gouvernement de Sa Majesté Britannique de compléter la ligne télégraphique des Indes Orientales, par le placement d'un cable électrique entre Ragoon et Singapore, ayant été transmis dans le tems à mon Gouvernement, le Cabinet de la Haye a vivement apprécié cette détermination et le bon vouloir du Cabinet de St. James de concourir à l'établissement d'un moyen de correspondance télégraphique d'une utilité immense, non seulement pour le Gouvernement Néerlandais, mais aussi pour celui de la Grande Bretagne, vu que le plan de poser un cable sous-marin entre Singapore et Java, impliquait en même temps l'intention de continuer la ligne télégraphique jusqu'en Australie.

Dans la note susmentionné votre Excellence me fit l'honneur de m'annoncer que le Gouvernement de la Reine se servirait du cable, destiné originairement à être posé entre Falmouth et Gibraltar pour la communication entre Ragoon et Singapore, et qu'on allait prendre des mesures qui feraient espérer que cette importante ligne télégraphique serait achevée dans le courant de la présente année.

Comme depuis lors mon Gouvernement n'a rien appris touchant l'exécution de cette décision du Gouvernement de Sa Majesté Britannique, je viens d'être chargé de m'adresser

à votre

à votre Excellence, et de lui demander quelques éclaircissements concernant la cause du délai que la pose du cable entre Ragoon et Singapore semble éprouver.

Le Cabinet de la Haye est persuadé que le Gouvernement da la Reine comprend tous les avantages qu'offrira cette communication électro-télégraphique, et dès lors il ne pourrait croire que l'idée de l'accomplir ait été abandonnée.

J'ai l'honneur, &c.
(signé) *Bentinck.*

Lord John Russell,
&c. &c. &c.

— No. 12. —

The Under Secretary of State, Foreign Office, to the Secretary of State for India.

Sir, Foreign Office, 15 May 1861.

With reference to previous correspondence respecting telegraphic communication in the East Indies, I am directed by Lord John Russell to transmit to you, to be laid before Secretary Sir Charles Wood, a copy of a note from the Netherlands Minister at this Court, requesting that this Government may be informed why the projected scheme has not been carried out, so far as the communication between Rangoon and Singapore is concerned.

May 11. See page 40.

I am to request that in laying this paper before Secretary Sir Charles Wood, you will state that Lord John Russell concludes that the answer to Baron Bentinck must be that Her Majesty's Government have for the present relinquished the project in question, and have determined to make use of the cable which had been prepared for a telegraphic line between Malta and Alexandria; but his Lordship would wish to be informed whether the original scheme is altogether abandoned.

I am, &c.
(signed) *Wodehouse.*

The Secretary to the India Office,
&c. &c. &c.

— No. 13. —

The Under Secretary of State for India to the Under Secretary of State, Foreign Office.

My Lord, India Office, 24 May 1861.

I am desired by the Secretary of State for India in Council to acknowledge the receipt of your Lordship's letter, dated the 15th instant, and to acquaint you, in reply, that Sir Charles Wood quite concurs with Lord John Russell in the answer which he proposes to return to the Netherlands Minister at this Court, regarding the line of telegraph between Rangoon and Singapore.

I have also to state, in reference to the inquiry at the conclusion of your letter, that the original scheme for connecting those places has been altogether abandoned, and that, as far as the Indian Government is concerned, there is no intention to undertake any similar project.

I am, &c.
(signed) *Herman Merivale.*

The Lord Wodehouse.

— No. 14. —

Mr. *G. A. Hamilton* to Mr. *E. Hammond.*

Sir, Treasury Chambers, 23 May 1861.

I am desired by the Lords Commissioners of Her Majesty's Treasury to state, for the information of Lord John Russell, with reference to your letter of the 15th instant, and its enclosure, that Her Majesty's Government has no intention of resuming the scheme of laying down a telegraphic cable between Rangoon and Singapore, and that my Lords approve of the reply which his Lordship proposes to give to the inquiry of Baron Bentinck.

I am, &c.
(signed) *Geo. A. Hamilton.*

E. Hammond, Esq.
&c. &c. &c.

— No. 15. —

Sir *Frederic Rogers*, Bart., to Mr. *G. A. Hamilton.*

Sir, Downing-street, 18 June 1861.

In continuance of previous correspondence on the subject of the establishment of telegraphic communication between Australia and this country, I am directed by the Duke of Newcastle to transmit to you, for the information of the Lords Commissioners of the Treasury, copies of two Despatches from the Governor of Queensland, in the latter of which he announces the readiness of his Government to contribute their share of the cost of any project which may ultimately be found to conduce to the speedy realization of the end in view.

No. 14—12 March 1861.
No. 38—26 April 1860.

I am, &c.
(signed) *Frederic Rogers.*

G. A. Hamilton, Esq.
&c. &c. &c.

Enclosure 1, in No. 15.

(No. 14.)

Governor Sir *G. F. Bowen* to the Duke of *Newcastle.*

Government House, Brisbane, Queensland,
My Lord Duke, 12 March 1861.

I have the honour to transmit herewith a copy of a letter which has just reached me from Captain Denham, R. N., commanding Her Majesty's surveying ship "Herald," in which that officer gives a brief statement of the results of his soundings on the line of the proposed submarine telegraph between North Australia and Java.

Sir G. Bowen to the Duke of Newcastle, No. 26 of 14 March 1860; 38, 26 April 1860.

2. Captain Denham will no doubt submit a more detailed report on his arrival in England to the Lords Commissioners of the Admiralty. In the meantime I have only to repeat what I have already reported in former Despatches, viz., that the natural and most easy line for the proposed Indo-Australian telegraph would be from a point on the shore of the Gulf of Carpentaria to Brisbane, the capital of Queensland, which will be in the course of a few months from the present time in immediate communication by electric wires with Sydney, Melbourne, and Adelaide. It is proposed to extend forthwith the electric telegraph from Brisbane across the settled districts of this Colony to Rockhampton, whence it is only about eight hundred (800) miles overland to the head of the Gulf of Carpentaria. A firm in Sydney has already offered to contract with my Government for the completion of this latter portion of the line, extending for the most part over a territory as yet unoccupied, at the rate of one hundred pounds (100 *l.*) per mile, but we should not feel justified in undertaking, as yet, this last-mentioned part of the work (*i. e.*, from Rockhampton to the Gulf of Carpentaria) without the co-operation of the other Australian Colonies, which have a nearly equal interest with Queensland in its completion.

I have, &c.
(signed) *G. F. Bowen.*

His Grace the Duke of Newcastle,
&c. &c. &c.

(Enclosure.)

Captain *Denham* to Sir *G. F. Bowen.*

"Herald," Sourabaga, Java,
My dear Sir George, 27 November 1860.

By availing of the dying breath of the eastern monsoon, though under trying concern latterly, lest it and our water should expire short of our distance from succour, I have brought on a track of positive and of negative soundings all the way to the Java eastern terminus of the electric wire at "Banjoewangie" in Baly Strait from Cape York. Nothing could be more favourable for an electric cable-bed than the depth and bottom of the Arafura Sea (17 to 50 fathoms very gradually, and upon mud) until you get abreast (17 miles distance) of Cape Van Diemen; then commences an irregularity of depths and abrupt elevations of coralline ridges which is quite disappointing in regard to connecting with Timor; the soundings jump in half a mile from 100 to 13 fathoms; the latter depth is too shallow, as the action of the swell is of sensible effect in point of abrasion at that depth, as is constantly experienced in the sheltered Java Sea, where the cable is frequently dislocated.

As

As I drew towards Rotti, the south-western extreme of Timor, I found rough bottom in 400 fathoms; that we should not mind; but a cable hanging over precipitous ridges is out of the question, particularly when the summits of those ridges come within the abrasive action of the sea. I then continued my examination at a seven-league offing between Timor and Java, along the ocean-aspect of the chain of islands, and upon that track the least water I could find was 1,500 fathoms, and the most I found was 3,000 fathoms. A cable might be laid in-shore of my track connecting Java with Timor by a line down Baly Strait, where I found 282 fathoms upon sand; then along the southern-face offing of Lanback, Sombarra, and Flores to Koepang; then by land to the north-east extreme of Timor; whence an oblique east by south submarine direction across the Arafura Sea by Cape Wessel to Cape York, or a station upon the eastern side of the Gulf of Carpentaria, where your Excellency's Government would consummate the enterprise. This would comprise 1,600 miles of distance, and require 2,000 miles of cable between Australia and Java.

To go northward of the islands, by the Java and Flores Sea, if practicable (?) would not be less, but if the fate of the transatlantic enterprise deters not, then a direct ocean-line from Baly Strait (Java's eastern terminus) to Swan River would be shorter still; thence overland to King George's Sound, and then by land or sea-bed to Adelaide.

Submitting the above for your information,

I remain, &c.
(signed) *H. M. Denham.*

P. S.—I had the satisfaction of determining the ocean margin of the Great Barrier Reef and the remainder of the Coral Sea Reefs after I left Sydney; and whilst at work in the Straits (Torres) as many as five ships in a week availed of the Denham route, leaving acknowledgments at Booby Island of their having done so.

His Excellency Sir G. F. Bowen, G. C. M. G.
&c. &c. &c., Queensland.

Enclosure 2, in No. 15.

(No. 38.)

Governor Sir *G. F. Bowen* to the Duke of *Newcastle.*

Government House, Brisbane, Queensland,
My Lord Duke, 20 April 1860.

I HAVE laid before the Executive Council of this Colony your Grace's circular of the 17th February ult., enclosing copy of a note from the Netherlands Minister at the Court of London, announcing the completion of the telegraphic cable between Singapore and Batavia, and communicating the desire of his Government to see this line placed in connexion with the British telegraphic lines in the East Indies, as well as with those which are intended to be laid down to China and Australia.

2. In my Despatch, No. 26, of the 14th March ult., I have already reported to your Grace that Queensland is prepared to co-operate in the great work of establishing a telegraphic communication, through Java and India, with the mother country; and to contribute our fair share of the cost of whatever arrangement may ultimately be found most likely to conduce to the speedy realization of the end in view, and to the common benefit of the whole group of Australian Colonies. On the same occasion I pointed out the many advantages, direct and indirect, which would probably result from carrying the proposed telegraphic line overland, from a point on the shore of the Gulf of Carpentaria to Brisbane, the seat of the Government of Queensland, where it would be placed in connexion with telegraphic lines communicating with the capitals of the Colonies of New South Wales, Victoria, South Australia, and Tasmania.

I have, &c.
His Grace the Right Hon. the Duke of Newcastle, (signed) *G. F. Bowen.*
&c. &c. &c.

No. 16.

(9416—26/6.)

Mr. *G. A. Hamilton* to the Secretary to the Board of Trade.

Sir, Treasury Chambers, 28 June 1861.

I AM desired by the Lords Commissioners of Her Majesty's Treasury to transmit, for the information of the Lords of the Committee of Privy Council for Trade, the enclosed copies of letters which my Lords have received from the

Colonial Office, dated 18th instant and 29th December last, respectively, and of their enclosures, relative to the proposed establishment of telegraphic connexion between Australia and this country, and also of their Lordships' letter to the Colonial Office upon the same subject, dated the 11th January 1861.

I am, &c.
(signed) *Geo. A. Hamilton.*

The Secretary to the Board of Trade.

— No. 17. —

Mr. *F. Gisborne* to the Secretary to the Treasury.

Sir, 6, Duke-street, Adelphi, W.C., 18 January 1862.

I HAVE the honour to enclose in copy a letter dated the 15th instant, addressed to me as representing the promoters of a proposed submarine telegraph between Rangoon and Singapore, by Messrs. Glass, Elliot & Co., stating the terms upon which they will work and maintain that line in good working order for the term of five years from its completion.

You will see that the contractors for the maintenance of the line consent to forfeit a rateable proportion of the payment agreed upon, for every day beyond 30 days in each year, on the average of five years, that any part of it is out of working order, and also to pay the shareholders for every such day at the rate of five per cent. per annum upon the whole paid-up capital of the Company, deduction being made of the receipts on those sections of the line which remain in good working order.

The contractors also bind themselves to deliver over the cable at the end of the term of five years in good working order, under a penalty of fifty thousand pounds (50,000 *l.*). Security is also stipulated for the performance of the contract.

Responsible parties have joined Messrs. Glass, Elliot & Co. in this matter, to bear proportionate parts of the heavy liability incurred under this contract.

It is proposed to establish intermediate stations at Tavoy and Penang, so that no section shall exceed 640 knots in length, the total length of cable being 1,220 knots. The cable will lie in a depth not exceeding an average of 40 fathoms, and here and there in sight of land, so as to enable its position to be accurately determined for picking up to execute future repairs.

The object of the proposed submarine communication is to enable political and commercial intelligence arriving at Bombay or Galle by the weekly mail from Europe, to be telegraphed to Singapore and forwarded thence by mail to China. Similar intelligence also arriving at Singapore by mail from China will be telegraphed to Galle or Bombay to catch the weekly mail to Europe. When the Red Sea and India Telegraph is repaired or relaid, all intelligence will be telegraphed direct between Europe and Singapore. Java is already in telegraphic communication with Singapore. The political interests, therefore, and the whole trade between India and China, between Europe, Java, and China, as well as the political and commercial interests specially appertaining to Singapore and Penang, will be accommodated by the proposed telegraph, and vessels engaged in these different trades will extensively use it.

The trade that will be thus accommodated amounts to 64,000,000 *l.* a year.

The proposed line will form a necessary link of the telegraphic communication with Australia *viâ* Java and the Northern and Eastern Coasts of that country, to establish which the Australian Legislatures lately voted large subsidies.

I trust, Sir, that Her Majesty's Government are sufficiently alive to the importance of the proposed telegraph, both to India and to Great Britain, to be willing to aid its establishment. Its importance is peculiarly great in the present precarious state of China, but if its execution is deferred till an emergency actually arises, the telegraph will probably only come into operation too late to meet it, and will have to be undertaken in a hurry and exclusively at the cost of Government.

The

The capital we propose to raise is four hundred and fifty thousand pounds (450,000 *l.*), and the aid which the promoters ask of Her Majesty's Government to enable them to do so, is as follows:

Her Majesty's Government to pay to the company an annual subsidy of thirty thousand pounds (30,000 *l.*), commencing from the completion of the line upon the following conditions:—

1. The line is to be completed and in effective operation within two years from the date of the agreement granting the subsidy.

2. In case through telegraphic communication between Rangoon and Singapore is interrupted from any cause, excepting war, insurrection or turbulence, a rateable proportion of the subsidy shall be deducted for every day such interruption shall last beyond 30 days in each year on the average of every five years; the said 30 days being allowed for repairing the cable, without any deduction from the subsidy.

3. Her Majesty's Government are to send state messages without payment to the extent of the subsidy, in each year, calculated at the tariff rates, but paying for any such messages not covered by the subsidy.

4. In case the receipts of the Company, whether from subsidy, messages, or other sources of revenue, after payment of all working and maintenance expenses, exceed the rate of 15 per cent. per annum in any one of the first three years, or after that period exceed that rate in any year upon an average of the three years preceding, upon the paid up capital of the Company, such excess is to be applied in reduction of the subsidy for the current year, and in liquidation of any previous advances on account of subsidy, but subject to these liabilities, the said excess is to be the property of the Company.

5. The capital of the Company is to include a reserve fund of fifty thousand pounds (50,000 *l.*), in addition to the penalties and securities to be given to the contractors for the working and maintenance of the line.

6. Her Majesty's Government are to have priority of transmission for state messages.

7. The tariff for all messages is to be fixed by the Company in conjunction with Her Majesty's Government.

8. Her Majesty's Government are to have the power to purchase the line, on giving six months' notice of their intention, at the average price of the shares for the three preceding years, or if three years have not elapsed, at the price which the Company may agree to, or which may be settled by arbitration in case of disagreement.

9. Her Majesty's Government may have two official directors on the Company's Board.

The importance of this telegraph in affording more speedy communication with China, and eventually with Australia, will, I feel, sufficiently recommend itself to the attention of Her Majesty's Government.

I have, &c.

To the Secretary to the Treasury, (signed) *F. Gisborne.*
&c. &c. &c.
Treasury.

Enclosure 1, in No. 17.

10, Cannon-street, E. C., London,
15 January 1862.

Dear Sir,

We have carefully considered the proposal you have made to us to work and maintain the proposed Rangoon and Singapore submarine line of telegraph.

We are prepared to work the line and maintain it in good working order for the full term of five years from its completion, upon the following conditions:—

1st. That we be satisfied with the class of cable to be adopted.

2d. That we obtain the contract for covering the core and laying the cable, at prices to be agreed upon between us and the Company.

3d. That we receive for working and maintaining the line the annual sum of 30,000 *l.* sterling.

 4th. That

4th. That we be allowed 30 days in each year, on the average of five years, for executing repairs, without incurring any forfeiture or penalty during such allowed periods.

5. That all the surplus cable after the line is completed—the length to be sent out shall not be less than 1,300 knots—shall be appropriated for repairs, and handed over to us without charge for that purpose.

With these stipulations we would agree to the following conditions which you have proposed on behalf of the Company :—

1st. That we supply instruments and a staff capable of working the line, subject to the approval of the Company's engineer, and sufficient in every respect to transmit messages for 20 hours in each day.

2d. That we keep a steamer of suitable power and burden equipped for executing repairs during the said term of five years, to be approved of by the Company.

3d. That we always keep in store at the stations a minimun quantity of 100 knots of cable in all to be approved of by the Company's engineer.

4th. That we supply all the instruments, cable, materials, and appliances at our own cost, necessary for working and maintaining the line in good working order, as before specified, during the said term of five years.

5th. That every day beyond the said 30 days in each year on the average of five years that the telegraphic communication shall be interrupted between Rangoon and Singapore excepting from war, insurrection, or turbulence, we are to forfeit a rateable proportion of the said annual payment of Thirty thousand pounds (30,000 *l.*) which the Government shall agree with the Company to be deducted in respect of their subsidy for non-working of the whole or any part of the sections of the said telegraph, and to pay per diem at the rate of five per cent. per annum upon the paid up capital of the Company, the receipts proceeding from any sections of the line which remain in good working order shall be deducted from the amount of the said five per cent. upon the whole paid up capital of the Company, which capital is not to exceed the sum of Four hundred and fifty thousand pounds (450,000 *l.*)

6th. That we deliver over the cable to the Company on the expiration of this contract in good working order, also all the stations (which shall not exceed four in number) including all fittings and furniture, as well as a complete outfit of instruments and appliances for working the line on the same scale as above specified, under a penalty of Fifty thousand pounds (50,000 *l.*) which sum is to be forfeited unless we restore the cable to good working order within one year after the expiration of the five years, paying the shareholders in the meanwhile five per cent. interest upon the paid-up capital, as provided for in the fifth condition.

7th. That we give security to the satisfaction of the solicitor of the Company that we will fulfil this contract to the amount of Forty thousand pounds (40,000 *l.*)

We also stipulate that the Government annual subsidy of 30,000 *l.* which is expected to be granted, stand as our security for payment under the present contract.

We remain, &c.
(signed) *Glass, Elliot & Co.*

F. Gisborne, Esq.,
6, Duke-street, Adelphi.

Enclosure 2, in No. 17.

RANGOON.—SINGAPORE TELEGRAPH.

ESTIMATE of General Working Expenses for Four Stations, 24 hours per diem.

	£.	s.	d.
1 Chief Engineer and electrician	600	–	–
4 Superintendents at 400 *l.*	1,600	–	–
16 Operators (eight at 200 *l.*, eight at 500 *l.*)	4,000	–	–
9 Native writers (three at Singapore, and two at each of the other Stations) at 60 *l.*	540	–	–
4 Native batterymen, 4 Ditto servants, at 25 *l.*	300	–	–
15 Ditto messengers (six at Singapore, and three at each of the other Stations) at 12 *l.*	180	–	–
2 Office clerks at Singapore for accounts, at 75 *l.*	150	–	–
1 Mechanician	300	–	–
Renewing batteries, instruments, paper, &c., &c.	1,500	–	–
Rent of four stations	250	–	–
Travelling expenses of sick clerks' home, and replacing ditto (say)	1,000	–	–
TOTAL Working Expenses for four Stations £.	10,420	–	–

ESTIMATE of Steamer for Repairs.

	£.	s.	d.
Cost of screw steam ship (to carry 20 knots shore-end at eight tons, and 100 knots deep water cable at 2·3 tons, say 400 tons cable) of 700 tons gross register-	20,000	–	–
Paying-out machinery	1,500	–	–
TOTAL Cost of Steam Ship £.	21,500	–	–

ANNUAL Cost of keeping up Steam Ship.

	£.	s.	d.	£.	s.	d.
Depreciation 15 % or 21,500 *l.*				3,225	–	–
Repairs say 5 % on ditto				1,075	–	–
Insurance for four months 5 % on ditto				1,075	–	–
Coals, 60 days, 15 tons per diem = 900 tons at 3 *l.*				2,700	–	–
Crew:						
Captain	500	–	–			
Chief mate	300	–	–			
2d - ditto	250	–	–			
Serang (native)	27	–	–			
Carpenter	120	–	–			
Black and coppersmith	120	–	–			
30 native seamen at (say) nine rupees per month each	324	–	–			
Cook (native)	15	–	–			
Steward	120	–	–			
2 boys (natives)	9	–	–			
First engineer at 400 *l.*, second at 300 *l.*, third at 200 *l.*	900	–	–			
10 native firemen at 10 rupees per month	120	–	–			
2 boys (natives)	9	–	–			
TOTAL Crew				2,814	–	–
Victualling:						
5 at 5 *s.* per diem including pay	456	–	–			
4 at 3 *s.* 6 *d.* ditto - - ditto	265	–	–			
46 natives at 1 *s.*	840	–	–			
				1,561	–	–
Rope, oil, wear and tear, ship chandlers' account				425	–	–
TOTAL Annual Cost of Steam Ship £.				12,875	–	–

ANNUAL Working and Maintenance Expenses.

	£.	s.	d.	£.	s.	d.
Working expenses, four stations, 24 hours per diem				10,420	–	–
Cost of keeping up steam ship, for repairs	12,875	–	–			
Interest on original cost 5% on 21,500 *l.*	1,075	–	–			
				13,950	–	–
25 knots of new cable a year at 200 *l.* per knot				5,000	–	–
TOTAL Working and Maintenance Expenses (annual) £.				29,370	–	–

20 Jan 1862.

— No. 18. —

The Secretary to the Treasury to Mr. *F. Gisborne.*

Sir, Treasury Chambers, 13 February 1862.

I AM desired by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter of the 18th ultimo, and its enclosure, relative to the construction and maintenance of a submarine telegraph between Rangoon and Singapore.

I am to observe to you that the advantages therein stated to be likely to result from the establishment of the proposed line, appear to depend upon the restoration of the line which was laid some time ago in the Red Sea, and that although a company has recently been formed for the purpose of attempting the repair of that line, there are no present means of knowing if that attempt will succeed.

For this reason then, without stating other objections which they entertain to your application, Her Majesty's Government must decline engaging to pay a subsidy of 30,000 *l.* a year for a line between Rangoon and Singapore.

I am, &c.

F. Gisborne, Esq., 6, Duke-street, Adelphi. (signed) *F. Peel.*

— No. 19. —

Mr. *F. Gisborne* to the Secretary to the Treasury.

6, Duke-street, Adelphi, W.C.,
Sir, 4 March 1862,

I HAVE the honour to acknowledge the receipt of your letter of the 13th ultimo, in which you state that "Her Majesty's Government must decline engaging to pay a subsidy of 30,000 *l.* a year for a line between Rangoon and Singapore." The only reason for this decision which you specify is thus stated: "I am to observe that the advantages therein (*i. e.* in the letter written on behalf of the promoters), stated to be likely to result from the establishment of the proposed line, appear to depend upon the restoration of the line which was laid some time ago in the Red Sea." You then state that there are no present means of knowing if the attempt that is now being made to restore it will succeed.

Without disputing the latter statement I beg to submit that the opinion of the Lords Commissioners that the advantages of the extension of the telegraphs of India to Singapore depend upon the restoration of the Red Sea line is founded upon a mistake of fact.

The re-establishment of the Red Sea and India telegraph cannot of course in any respect increase the advantages of the Rangoon-Singapore line as between India and China.

The proposed telegraph will shorten by eight days, twice a month each way, and reduce to eight days the time now occupied in transmitting news between India and China. This will be effected by saving the time occupied by the mail steamer between Galle and Singapore and reducing it to that occupied between Singapore and Hong Kong (Canton), which is eight days in each case. As between England and China moreover the proposed cable will, under existing mail arrangements, supply eight days' later news twice a month each way, though the Red Sea cable should never be re-established.

The re-establishment of that telegraph will indeed contribute an addition of 13 days to the above saving in time, but the gain as represented by the Rangoon-Singapore telegraph itself will always be eight days; it is only the extension of the latter line to China which will enable such gain to be taken advantage of daily instead of only twice a month each way.

This saving of eight days by the proposed telegraph will be effected as follows:—

News sent by the outward mail to Bombay would be telegraphed thence to Singapore, and would there overtake the outward China mail, the departure of which was eight days earlier; and again, intelligence brought by mail from China to Singapore would be telegraphed thence to Bombay, and would arrive by the Bombay mail eight days before the China mail.

This saving is based on the dates of the mails as now arranged, which allow a margin of four or five days for the accidental detention of the steamers and the transmission of messages between Bombay and Singapore. By altering the mail days so as to reduce the above margin to two or three days, the above saving of time between England and China would be increased to 10 or 11 days twice a month each way.

Moreover, the shipping which passes through the Straits of Malacca, or through the Straits of Sunda, will be enabled to telegraph news of its passage direct to India, or, if the news be destined for Europe, it can proceed by the weekly mail from Galle or Bombay.

The minimum saving for such shipping news, and all other news, as between Singapore and England will, under existing mail arrangements, be eight days for two days a month, and the maximum 22 days for six days a month, according as it is telegraphed from Singapore immediately before, or within three days after the departure of each fortnightly homeward mail.

It is a matter of daily practice to combine the use of the telegraph and overland mail by transmitting news by telegraph to Malta and Suez, and thence by mail to India and China.

The time thus occupied at present between London and Hong Kong (Canton) is 35 days, the re-establishment of the Red Sea and India telegraph would reduce that time, say to 20 days, and the establishment of the Rangoon-Singapore telegraph would further reduce the time to, say, 11 days. These calculations allow of from one to three days for telegraphing.

If

If the Rangoon-Singapore telegraph be established previous to that of the Red Sea, the time will be reduced from 35 to 27, or even 25 days, or by 8 to 10 days.

The Malta-Alexandria Cable saves little more than three days four times a month each way, as compared to previous arrangements, and yet the great advantage of it is universally acknowledged, and the traffic is greatly on the increase.

I would also desire to repeat what I stated in a letter to Lord Stanley, then Secretary of State for India, dated the 30 March 1859, that the position of Singapore will secure its being the centre of the telegraphic system of England and India with China and Australia.

I would also observe that the very important local interests and commerce specially connected with Singapore and Penang will be greatly benefited by the proposed line.

I also beg to call to your recollection the frequent occasions upon which Her Majesty's Government have, for the last four years, announced their intention to connect Singapore with the system of telegraphs in India. This was done, to my own knowledge, in a letter dated the 14th July 1858, from the East India Company to the India Board, and in two letters dated the 1st January 1859 and the 7th April 1859, addressed by Lord Stanley to me.

I enclose extracts and copies of the above letters, also a map showing the proposed line, also an estimate of the working, maintenance, and expenses upon which Messrs. Glass & Co.'s tender was based.

The same expectations were, I understand, held out to the Netherlands Government when they laid a cable between Singapore and Batavia.

In 1860 Her Majesty's Government did not consider that the advantages of the Rangoon-Singapore telegraph for the purpose of communicating with China during the war depended upon the Red Sea telegraph, since they then shipped the cable that is now laid between Malta and Alexandria for Rangoon and Singapore, in preference to any other destination, at a time when there appeared no prospect whatever of the Red Sea telegraph being restored. An accident to one of the cable ships alone prevented the line now proposed being then completed. I beg to submit that there is no good reason why the construction of different links in the chain of telegraphic communication between England, China, and Australia should not go on contemporaneously, or even independently, of one another.

The payment of the subsidy we ask for is only to commence after the completion of the line, and is calculated only to pay for the working and maintenance of it.

The capitalists, therefore, subscribing to the sum of 450,000 *l.*, which we propose to raise, would do so on the calculation that even if the Red Sea telegraph be never completed, the gross receipts of the proposed line would afford an ample return.

In return for the Government subsidy, the payment of which is contingent upon the line continuing in working order, the Home and India Governments are to have the right of sending all their messages without payment to the full extent of it. A moderate number of Government messages each way would yield an ample return for the subsidy.

I trust, sir, that the considerations I now have the honour of submitting to Her Majesty's Government will cause the line in question to be considered by them as worthy of encouragement, without waiting for the Red Sea and India telegraph to be restored or relaid.

As regards the subsidy which the Promoters have asked of Her Majesty's Government, and the conditions they have proposed, they would desire to be informed of the views of Her Majesty's Government, in order, if possible, to meet those views.

I may state, at once, that the Promoters have no objection to limit the duration of the subsidy to 30 years.

The tender which has been made to the Promoters by responsible parties for working and maintaining the line in repair for a term of years under the heaviest penalties which the case admits of, must be a sufficient guarantee to Her Majesty's Government that the plan of the Promoters is definite, and calculated to insure success.

I have, &c.
(signed) *F. Gisborne.*

The Secretary to the Treasury,
&c. &c. &c.

Enclosures in No. 19.

Sir, East India House, 1 January 1859.

THE Secretary of State for India in Council has had before him your letter, dated the 18th ultimo, stating that you have been informed that the question as to whether the Netherlands Government will be allowed to have a station at Singapore will be referred to the Governor General of India for his opinion, and representing that the delay occasioned by such a reference would frustrate the arrangements which have been made for commencing operations on the line of telegraph between India and Australia.

In reply, I am instructed to inform you that Lord Stanley never contemplated making a reference to the Government of India upon this subject, and that on the 16th ultimo, the Lords of Her Majesty's Treasury were informed that his Lordship would not object to a station for the projected telegraph being fixed at Singapore, provided that the line from that place through the Dutch settlements shall always be available for the use of the British Government, and be considered as a component part of the lines from England to Australia or China, when the remaining sections of the lines between those places are completed.

I am, at the same time, directed to acquaint you that it has not yet been determined how Singapore is to be connected with the existing system of telegraphs in India, but that Lord Stanley hopes soon to be in a position to decide upon the question.

I am, &c.
F. Gisborne, Esq. (signed) *J. Cosmo Melvill.*

INDIA.—SINGAPORE TELEGRAPH.

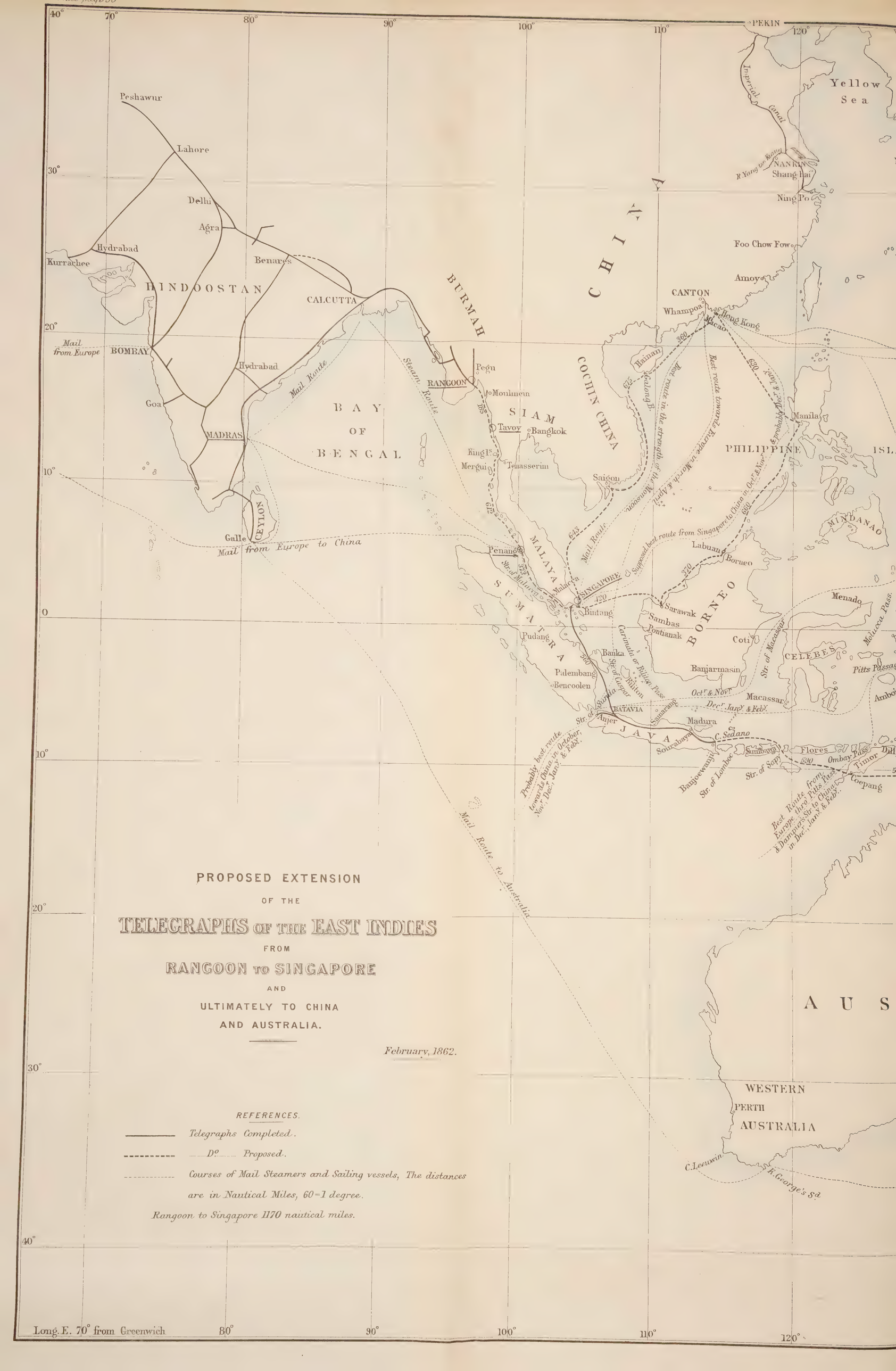
ESTIMATE of Annual Working Expenses for four Stations, 24 hours per diem.

20 January 1862.

	£.	s.	d.
1 Chief engineer and electrician	600	–	–
4 Superintendents at 400 *l.*	1,600	–	–
16 Operators (eight at 200 *l.*, eight at 300 *l.*)	4,000	–	–
9 Native writers (three at Singapore, and two at each of the other stations) at 60 *l.*	540	–	–
4 Native batterymen, 4 Ditto servants, at 25 *l.*	200	–	–
15 Ditto messengers (six at Singapore, and three at each of the other stations) at 12 *l.*	180	–	–
2 Office clerks at Singapore, for accounts at 75 *l.*	150	–	–
1 Mechanician	300	–	–
Renewing batteries, instruments, paper, &c., &c.	1,500	–	–
Rent of four stations	250	–	–
Travelling expenses home of sick clerks, and replacing them	1,000	–	–
TOTAL Working Expenses for four Stations, 24 hours - £.	10,320	–	–

ESTIMATE of Steamer for Repairs.

	£.	s.	d.
Cost of screw steam ship (to carry 20 knots shore end at eight tons, and 100 knots deep water cable at 2·3 tons = say 400 tons cable) of 700 tons gross register	20,000	–	–
Paying-out machinery	1,500	–	–
TOTAL Cost of Steam Ship - £.	21,500	–	–


PROPOSED EXTENSION
OF THE
TELEGRAPHS OF THE EAST INDIES
FROM
RANGOON TO SINGAPORE
AND
ULTIMATELY TO CHINA
AND AUSTRALIA.
February, 1862.
REFERENCES.
Telegraphs Completed.
Do. Proposed.
Courses of Mail Steamers and Sailing vessels, The distances are in Nautical Miles, 60=1 degree.
Rangoon to Singapore 1170 nautical miles.
Peshawur
Lahore
Delhi
Agra
Hydrabad
Kurrachee
Benares
HINDOOSTAN
CALCUTTA
BURMAH
Mail from Europe
BOMBAY
Hydrabad
Goa
MADRAS
CEYLON
Galle
Mail from Europe to China
Mail Route
Steam Route
RANGOON
Pegu
Moulmein
BAY OF BENGAL
SIAM
Tavoy
Bangkok
Mergui
Tenasserim
Saigon
COCHIN CHINA
MALAYA
Penang
Str. of Malacca
Malacca
SINGAPORE
Mail Route
Supposed best route from Singapore to China in Oct.r & Nov.r
SUMATRA
Pudang
Bintang
Sambas
Pontianak
Sarawak
BORNEO
Labuan
Borneo
Banka
Str. of Sunda
Palembang
Bencoolen
Billiton
Carimata or Billiton Pass.
Str. of Gaspar
Banjarmasin
Str. of Macassar
Coti
CELEBES
Menado
Molucca Pass.
Pitts Passage
Macassar
Oct.r & Nov.r
Dec.r Jan.y & Feb.y
BATAVIA
Str. of Sunda
Anjer
Sauerang
Madura
JAVA
Sourabaya
C. Sedano
Sumbawa
Flores
Ombay Pass.
Timor
Str. of Sapy
Str. of Lombok
Banjoewangi
Coepang
Probable best route towards China in October, Nov.r Dec.r Jan.y & Feb.y
Best Route from Europe thro Pitts Pass & Dampiers Str. to China in Dec.r Jan.y & Feb.y
Mail Route to Australia
CHINA
Yellow Sea
Imperial Canal
R. Yang tse Kiang
PEKIN
NANKIN
Shang hai
Ning Po
Foo Chow Foo
Amoy
CANTON
Whampoa
Macao
Hong Kong
Hainan
Kiulong B.
Best route in the strength of the Monsoon
Best route towards Europe in March & April
Manila
PHILIPPINE ISL
MINDANAO
AUS
WESTERN AUSTRALIA
PERTH
C. Leeuwin
K. George's Sd
Long.E. 70° from Greenwich
40°
70°
80°
90°
100°
110°
120°
30°
20°
10°
0

No. 22. Ordered, by the House of Commons, to be printed, 8 Feby 1864.

ANNUAL Cost of keeping up Steam Ship.

	£.	s.	d.	£.	s.	d.
Depreciation 15 % on 21,500 *l.*				3,225	–	–
Repairs, say 5 % on ditto				1,075	–	–
Insurance for four months 5 % on ditto				1,075	–	–
Coals, 60 days, 15 tons per diem = 900 tons at 3 *l.*				2,700	–	–
Crew:						
Captain	500	–	–			
Chief mate	300	–	–			
2d - ditto	250	–	–			
Serang (native)	27	–	–			
Carpenter	120	–	–			
Black and coppersmith	120	–	–			
30 native seamen, at, say, nine rupees each per month	324	–	–			
Cook (native)	15	–	–			
Steward	120	–	–			
2 boys (natives)	9	–	–			
1st engineer 400 *l.*, 2d ditto 300 *l*, 3d ditto 200 *l.*	900	–	–			
10 native firemen at 10 rupees each per month	120	–	–			
2 native boys	9	–	–			
TOTAL Crew				2,814	–	–
Victualling:						
5 at 5 *s.* per diem, including grog	456	–	–			
4 at 3 *s.* 6 *d.* ditto - - ditto	265	–	–			
46 natives at 1 *s.*	840	–	–			
TOTAL Victualling				1,561	–	–
Rope, oil, wear and tear, ship chandlers, &c. &c.				425	–	–
TOTAL Annual Cost of Steam Ship £.				12,875	–	–

ANNUAL Working and Maintenance Expenses.

	£.	s.	d.	£.	s.	d.
Working expenses, four stations, 24 hours per diem				10,320	–	–
Keeping up steam ship for repairs	12,875	–	–			
Interest on original cost, at 5 % (after deducting depreciation) on average of five years	750	–	–			
				13,625	–	–
25 knots of new cable at 200 *l.*				5,000	–	–
TOTAL Annual Cost of Working and Maintenance £.				28,945	–	–

Note.—The remainder of the Enclosures in No. 19 have already been printed in the Appendix to the Third Report of the Select Committee on Packet and Telegraphic Communication.

— No. 20. —

Mr. *Murray* to the Secretary to the Treasury.

Sir, Foreign Office, 6 March 1862.

WITH reference to your letter of the 23d of May last, in which you stated that it had been determined to relinquish the project of a telegraph line between Rangoon and Singapore, I am directed by Lord Russell to transmit to you a copy of a letter from Baron Bentinck, in which, by desire of his government, he again urges the establishment of such a line. 25 February 1862.

I am to request that in laying this letter before the Lords Commissioners of Her Majesty's Treasury, you will move them, if they think proper, to consult with the Secretary of State for India, and to favour Lord Russell with their opinion on this proposal.

I am, &c.

The Secretary to the Treasury, &c. &c. &c. (signed) *James Murray.*

Enclosure in No. 20.

M. Le Comte, Londres, le 25 Fevrier 1862.

Le Gouvernement des Pays-Bas vient de me charger de fixer l'attention de votre Excellence sur l'intérêt général qu'offrirait l'établissement d'une ligne télégraphique entre Rangoon et Singapore, et m'a invité de demander à votre Excellence si, en presence de l'heureuse expérience qu'on vient de faire par la jonction télégraphique de Malte avec Alexandrie, et des tentations que quelques protecteurs de cette ligne de Rangoon à Singapore semblent avoir l'intention de faire pour tâcher de créer cette communication télégraphique, votre Excellence ne se trouverait pas en état de donner au Gouvernement du Roi quelque espoir concernant la réalisation d'un plan aussi utile et qui suppléera aussi essentiellement à ce qui a déjà été fait par le Gouvernement Néerlandais dans les parages des Indes Orientales en établissant un cable électrique entre Batavia et Singapore.

En m'acquittant des ordres de mon Gouvernement, je saisis, &c., &c., &c.

Le Lord Russell. (signed) *Bentinck.*

— No. 21. —

The Secretary to the Treasury to Mr. *E. Hammond.*

Sir, Treasury Chambers, 28 March 1862.

I am desired by the Lords Commissioners of Her Majesty's Treasury to state, for the information of Earl Russell, with reference to your letter of the 6th instant and its enclosure, that my Lords are not prepared to entertain the question of aiding in the establishment of the proposed submarine line of telegraph between Rangoon and Singapore at the public charge.

I am, &c.

E. Hammond, Esq., (signed) *F. Peel.*
&c. &c. &c.

— No. 22. —

Mr. *F. Gisborne* to the Secretary to the Treasury.

6, Duke-street, Adelphi, W. C.,
Sir, 28 March 1862.

See pp. 61, 62.

I have the honour to enclose, in copy, a document dated the 3d instant, having reference to the execution of the proposed India-Singapore telegraph, signed by a number of gentlemen and firms connected with the trade of China and Australia.

Those connected with Australia have signed because the proposed line is a necessary link in telegraph communication with that country, and because they hope to extend the existing Dutch lines, with which it will be in connexion, by a cable from Java to Queensland, for which the Australian legislatures voted considerable subsidies two years ago.

I expect other signatures to be added, which I will communicate to you when obtained.

I have, &c.

The Secretary to the Treasury, (signed) *F. Gisborne.*
&c. &c. &c.

— No. 23. —

Mr. *F. Gisborne* to the Secretary to the Treasury.

6, Duke-street, Adelphi, W. C.,
Sir, 2 April 1862.

I HAD the honour to communicate to you on the 28th ultimo, in copy, a document dated the 3d ultimo, having reference to the execution of the proposed India-Singapore telegraph.

I now beg to enclose a second copy, including additional signatures.

See pp. 61, 62.

Out of 38 signatures, 12 are those of banks or of chairmen and directors of banks, including the Oriental Bank Corporation, having their business with China and Australia; two are those of gentlemen connected with other banks; 18 are those of merchants or mercantile companies and firms trading with China; three are those of large shipowners interested in China and Australia, including the Peninsular and Oriental Steam Navigation Company; and three are those of gentlemen otherwise interested in the question.

I would point out to you that the document in question is not a memorial in favour of the telegraph line, but an undertaking by those who have signed to use their best efforts to carry out the work.

I have, &c.
The Secretary to the Treasury, (signed) *F. Gisborne.*
&c. &c. &c.

— No. 24. —

The Secretary to the Treasury to Mr. *F. Gisborne.*

Sir, Treasury Chambers, 9 April 1862.

I HAVE laid before the Lords Commissioners of Her Majesty's Treasury your letters of the 4th ultimo and 2d instant respectively, together with their enclosures, relative to the proposed submarine line of telegraph between Rangoon and Singapore, and I am desired by their Lordships to state to you in reply, that they are not prepared to entertain the application for the grant of a subsidy towards the maintenance of the proposed line of telegraph.

I am, &c.
F. Gisborne, Esq., (signed) *F. Peel.*
6, Duke-street, Adelphi.

— No. 25. —

MEMORIAL of the Liverpool Shipowners' Association.

To the Right Honourable Lord Viscount *Palmerston*, K.G., First Lord Commissioner of Her Majesty's Treasury.

The Memorial of the Liverpool Shipowners' Association,

Showeth,

THAT a communication has been made to your memorialists that certain influential persons interested in British shipping trading to the East are engaged in the promotion of an extension of the telegraphs of the East Indies from Rangoon to Singapore, and that the promoters are in communication with Her Majesty's Government on the subject.

That such proposal, if carried out, would be highly beneficial to British shipping trading in the East.

Your Memorialists, therefore, respectfully recommend such proposal to the favourable consideration of Her Majesty's Government.

Francis A. Clint, Chairman.

— No. 26. —

Mr. *G. A. Hamilton* to the Chairman of the Shipowners' Association, Liverpool.

Sir, Treasury Chambers, 19 May 1862.

I HAVE laid before the Lords Commissioners of Her Majesty's Treasury the memorial signed by you, on behalf of the Liverpool Shipowners' Association, praying their Lordships to take into their favourable consideration the proposal for the extension of the telegraphs of the East Indies from Rangoon to Singapore, and I am desired by their Lordships to state, in reply, that they have not thought it advisable to entertain the projected scheme on the part of Her Majesty's Government.

I am, &c.

The Chairman of the Shipowners' Association, Liverpool. (signed) *Geo. A. Hamilton.*

— No. 27. —

The Under Secretary of State for India to the Secretary to the Treasury.

Sir, India Office, S.W., 29 May 1862.

I AM directed to transmit, for the information of the Lords Commissioners of Her Majesty's Treasury, copies of a letter received from Mr. F. Gisborne, submitting proposals for the establishment of telegraphic communication between Rangoon and Singapore, and of the reply which Sir Charles Wood has directed to be made thereto.

I am, &c.

The Right Hon. F. Peel, M.P., &c. &c. &c. (signed) *T. G. Baring.*

Enclosure 1, in No. 27.

Mr. *F. Gisborne* to the Secretary of State for India.

6, Duke-street, Adelphi, W.C.,

Sir, 9 May 1862.

I HAVE the honour to enclose a map, showing the course of a proposed submarine line of telegraph, intended to extend the telegraphs of India from Rangoon, the present terminus of those lines eastward, to Singapore, and also the course of ultimate extensions from Singapore to China and Australia. I beg also to enclose, in copy, a document dated the 3d of March last, signed by the Promoters of the India-Singapore telegraph, having reference to the terms upon which they will use their best efforts to carry out the line; also a return of the shipping and trade that will make use of the proposed line; also copy of an estimate of the working expenses of the line, dated the 8th instant, by Messrs. Forde and Jenkin; also copy of a letter dated 29th ultimo, from H. C. Forde to Admiral Washington, enclosing a statement of the weight of cable that will have to be shipped; also extract from a letter dated the 14th July 1858, from the late East India Company to the India Board; and copies of two letters, dated the 1st January 1859 and the 7th April 1859, addressed by Lord Stanley, the Secretary of State for India, to me.

The results which the proposed telegraph between Rangoon and Singapore will effect may be shortly stated as follows:

1. The whole of India will be placed in instantaneous communication with Singapore, and, as a consequence, the important trade of the Straits and Singapore will be directly benefited.

2. China (Canton) will be brought within eight days of India, and within 27, or even 25 days of England (the latter period can be obtained by altering the dates of the China mails leaving England and China), instead of the time being 16 and 35 days respectively.

3. The Straits of Malacca and of Sunda, through which nearly the whole shipping to and from China passes, will be brought into instantaneous communication with India, and within 15 days of England, by the combined use of the existing telegraphs and the weekly mail to and from India.

The

The advantages to Government of the proposed line in regulating the movements of the navy, and regiments employed for the protection of our interests in China, and the effect it will thus have in rendering the armed forces more available and effective, and of shortening the duration of any war that may occur, will undoubtedly be very considerable.

The ordinary communications of the Admiralty with their stations in the China seas will be also much facilitated.

These are matters, however, which you, sir, are in a far better position to judge of than I am.

Moreover, the establishment of the line will cause the Promoters immediately to prosecute the extension from Singapore to Hong Kong, and that from Java to Queensland, for which the Australian Legislatures voted considerable subsidies two years ago.

The shipping that will make use of the proposed line amounts annually to 10,000 vessels, including repeated voyages, and the trade to 64,000,000 *l.* This will, of course, be enormously increased by the extension to Australia.

The cable between Rangoon and Singapore will be laid in an average depth of 40 fathoms, on a well-sounded sea bottom parallel to the coast, and in sections of reasonable length. No practical difficulty can be experienced in repairing at once any fractures or faults that may occur in it. The same holds true as regards the proposed extensions to China and Australia. In very few places will the cables for those lines have to lie in over 50 fathoms, and the sections will be of reasonable length.

The distance between Rangoon and Singapore is 1,170 nautical miles, and the capital that will be required in case the Admiralty lend the ships to carry and lay the cable, will be 350,000 *l.*, which includes a reserve fund of 30,000 *l.*

The length of cable that will have to be sent out will be 1,300 knots, which includes 100 knots of spare cable for future repairs.

It is proposed to establish two intermediate stations: one at Tavoy, or King's Island, opposite Mergui, and another at Penang, all British possessions.

I should, perhaps, have pointed out that the above advantages of the proposed line will be realised without taking into account the re-establishment of telegraphic communication between Egypt and India, for which efforts are now being made.

The aid which the Promoters ask of Her Majesty's Governmentto e nable them to raise the required capital of 350,000 *l.* is as follows:—

1. Her Majesty's Government to lend ships for carrying and laying the cable, the Company fitting them up for the purpose.

2. Her Majesty's Government to pay to the Company an annual subsidy of Fifteen thousand pounds (15,000 *l*) for a period of 30 years, the first payment to be made six months after the completion of the line.

3. Her Majesty's Government to place a steamer at the disposal of the Company after the cable is laid, for the purpose of executing repairs when required.

4. The line to be completed and in effective operation within two years from the date of the agreement granting the subsidy.

5. In case through telegraphic communication between Rangoon and Singapore is interrupted from any cause, excepting war, insurrection, or turbulence, a rateable proportion of the subsidy shall be deducted for every day such interruption shall last, beyond 90 days in every period of three years, such 90 days to be distributed over every such period at the option of the Company, and to be regarded as a reasonable time for executing repairs, without any deduction being made from the subsidy.

6. Her Majesty's Government, both in India and at home, are to send their messages without payment to the extent of the subsidy in each year, calculated at the tariff rates, but are to pay for such messages as the subsidy does not cover.

7. Her Majesty's Government are to have priority of transmission for their messages.

8. Her Majesty's Government are to have the right of settling the tariff, both for Government and private messages, in conjunction with the Company.

9. Her Majesty's Government may have two official directors on the Company's Board.

The financial assistance, as I have sketched it out, would appear naturally to fall upon the revenues of England and India in the following manner, though that is a question of distribution I cannot pretend to form any accurate opinion about:

The ships for laying and subsequently repairing the cable would, perhaps, be properly chargeable to the revenues of Great Britain, and the annual subsidy to the revenues of India.

You will observe, sir, that the Rangoon-Singapore telegraph, even before its extension to Australia, will bring a large accession of business upon the telegraphic lines of India.

Considering the 10,000 vessels, including repeated voyages, and a trade of 64,000,000 *l.*, which is rapidly increasing, will annually make use of the proposed line, I do not think that 30,000 messages a year is an over-estimate; and these, at an average rate of 6 *s.* through India, will bring 9,000 *l.* a year to the Indian Exchequer: to this sum has to be

added whatever the Government messages may come to, which I have no means of estimating, so that I believe the greater portion of the subsidy of 15,000*l.* will be reimbursed Her Majesty's Government in India.

I may also observe, that by aiding private enterprise to carry out the line, at a time when the easy state of the money market renders it possible for it to do so, Government will save itself having to raise the whole capital hereafter, and having to bear the risk of a submarine cable, from both of which liabilities the present proposition will wholly relieve it.

Singapore would appear to be the natural terminus for the Government system of telegraphs in India, certainly a better terminus than Rangoon.

On the general question I may observe, that there is a strong political element and a national advantage in telegraph lines to our distant possessions, and I cannot see why the commercial classes should be expected to find all the money, besides running all the risk for undertakings of which the beneficial results will be shared in by others. It would be quite as reasonable for the commercial classes to wait until Government carries out such undertakings, as for the Government to wait till they do so.

However, in the present case, the Promoters offer a distinct *quid pro quo* to Government in the shape of increased business over their lines, and a gratuitous transmission of their messages.

The present moment would appear to be a favourable one for the Admiralty to lend ships for the required service previous to plating them; and I trust, sir, that I have stated enough to induce Her Majesty's Government to grant the required assistance.

It will be in your recollection, that in 1860 Her Majesty's Government shipped the cable that is now working between Malta and Alexandra, to be laid between Rangoon and Singapore, and that an accident to one of the cable ships alone prevented the proposed line being then carried out.

I have, &c.
(signed) *F. Gisborne.*

The Right Honourable
Sir Charles Wood, Bart., G.C.B., M.P.,
Secretary of State for India,
&c. &c. &c.

Enclosure 2, in No. 27.

Sir, India Office, 29 May 1862.

I AM directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 9th instant, and to acquaint you, in reply, that Sir Charles Wood is not prepared to undertake the construction of a telegraphic line between Rangoon and Singapore.

He is of opinion that the construction of that line can only be considered with the object of its forming part of much more extended lines beyond Singapore.

Any question of that magnitude can, however, only be dealt with by the Imperial Government; and, with a view to such an object, any application should be addressed to the Lords of the Treasury, to whom your letter has accordingly been forwarded.

I am, &c.
(signed) *T. G. Baring.*

F. Gisborne, Esq.,
6, Duke-street, Adelphi, W.C.

— No. 28. —

The Secretary to the Treasury to the Under Secretary for India.

Sir, Treasury Chambers, 4 June 1862.

I AM desired by the Lords Commissioners of Her Majesty's Treasury to return to you the enclosures which accompanied your letter of the 29th ult., on the subject of the proposed establishment of telegraphic communication between Rangoon and Singapore, and to state, for the information of the Secretary of State for India in Council, that, in reply to applications addressed to their Lordships by Mr. Gisborne and other parties on this subject, they have already caused the applicants to be informed that their Lordships do not think it advisable to entertain the projected scheme on the part of Her Majesty's Government.

I am, &c.
(signed) *F. Peel.*

The Under Secretary for India.

— No. 29. —

Mr. *F. Gisborne* to the Under Secretary of State for India.

6, Duke-street, Adelphi, W. C.,
Sir, 3 June 1862.

I HAVE the honour to acknowledge the receipt of your letter of the 29th ultimo.

It may perhaps be as well that I should shortly sum up the precise course the promoters of the India-Singapore Telegraph have sketched out to themselves. They expect to be in a position to let the contract for the cable within two months of their obtaining the assistance asked for in my letter to Sir Charles Wood, of the 9th ultimo.

Immediately that such contract is let, they will proceed to carry out the extensions from Singapore to Hong Kong, and from Java to Queensland.

Two years ago I obtained annual subsidies from the Australian Legislatures for the latter line, amounting to five per cent. upon the then estimated outlay; but as such outlay will now have to be considerably exceeded, some correspondence will be required for a proportionate increase in the subsidies.

The establishment, however, of the India-Singapore Telegraph will cause the existing Dutch lines between Singapore and Batavia, and through Java, to become part of the telegraphic system towards Australia, being a gain towards that country of about 2,600 miles of telegraph lines; that is to say, 1,200 miles between Rangoon and Singapore, and 1,400 miles thence to the east end of Java, leaving some 3,000 miles to be completed to Moreton Bay (Queensland). The plan of the promoters is perfectly definite, and securing the construction of the India-Singapore Telegraph will place them in a position to carry out the extensions to China and Australia, besides supplying a most valuable line independently of any extensions.

I have, &c.
(signed) *F. Gisborne.*

T. G. Baring, Esq., M.P.,
Under Secretary of State for India,
&c. &c. &c.

— No. 30. —

The Under Secretary of State for India to Mr. *F. Gisborne.*

Sir, India Office, 11 June 1862.

I AM directed to acknowledge the receipt of your letter of the 3d instant, regarding the proposal to construct a line of telegraph between Rangoon and Singapore, and to acquaint you, in reply, that the same has been duly laid before the Secretary of State for India in Council.

I am, &c.
(signed) *Herman Merivale.*

F. Gisborne, Esq.

— No. 31. —

Mr. *F. Gisborne* to the Under Secretary of State for India.

6, Duke-street, Adelphi,
Sir, 25 July 1862.

I HAVE the honour to enclose copy of a letter I addressed to the Duke of Newcastle on the 15th instant, enclosing a circular letter of the same date, addressed by me to the Governors of all the Australian Colonies, with enclosures.

In my letter I request the Governments of Australia to apply the subsidies, which were either voted or promised in 1860, to carrying out at once the Java-Queensland telegraph. You will observe that the contribution of the Home Government to that line will not in any case exceed one-fifth of the whole annual subsidy, or 10,000 *l.* a year, in return for the gratuitous transmission of their messages to that extent.

I leave to-morrow for the Hague, to make arrangements with the Netherlands Government for laying a more efficient cable between Singapore and Batavia, either by the promoters or by the Government; and it is then my intention to proceed to Paris to obtain from the French Government a subsidy to enable the promoters to lay a cable between Singapore and Saigon, which lies 643 miles on the direct course to Hong Kong.

I will beg you to inform Sir Charles Wood of the steps which are being taken, and to represent to him that whatever opinion may be held as to the actual construction of the India-Singapore Telegraph being made to precede that of the outlying lines to China and Australia, yet that it is only reasonable that a promise should be given to complete that link contemporaneously with the carrying out of the other lines.

It is true that this was substantially intimated by Sir Charles Wood to the deputation that had the honour of waiting on him on the 27th ultimo; but his previous letter to me of the 29th of May last is not definite on that head; and it is the only document of a recent date which I have to show to the different Governments concerned, to induce them to enter into large pecuniary liabilities in respect of lines which will be nearly useless unless the India-Singapore Telegraph is completed.

I beg respectfully to express a hope that Sir Charles Wood will deem it consistent with his public duty to give the assurance asked for in a form which will be available to facilitate the arrangements necessary to carry out the whole proposed system of telegraphic communication.

I have, &c.

The Under Secretary of State for India, &c. &c. &c.

(signed) *F. Gisborne.*

Enclosures in No. 31.

6, Duke-street, Adelphi, W. C.,
15 July 1862.

My Lord Duke,

I HAVE already informed your Grace that it was the intention of the promoters of the Anglo-Australian and China Telegraph to ask the Australian Government to apply the subsidies which they either voted or promised in 1860, to carrying out the line between Java and Queensland.

New South Wales.
Victoria.
South Australia.
Tasmania.
New Zealand.
Queensland.
West Australia.

I now have the honour to enclose copy of a circular letter, dated the 15th instant, which I have addressed to the Governors of the several Colonies in the margin, to that effect, with the enclosures. I also beg to enclose the originals, which I will request your Grace to communicate by this mail.

There are two points upon which the Colonial Governments will require to be satisfied by Her Majesty's Government: 1st. That the link between India and Singapore will be completed at least contemporaneously with the execution of the proposed line between Java and Queensland; 2d. That Her Majesty's Government will grant, say 10,000 *l.* a year, towards the Java-Queensland line, in return for the gratuitous transmission of their messages to that extent.

Upon these points any assurance that your Grace may be in a position to communicate to the Colonial Governments will immensely facilitate my negotiation, and will undoubtedly secure the carrying out of telegraphic communication with Australia long before it will otherwise be effected.

There are two other points which lie especially within the province of the promoters to make out satisfactorily, viz., that telegraphic communication will be efficiently kept up between Batavia and Singapore, and that a subsidy of five per cent. upon the estimated outlay on the line to Australia, and contingent upon its success, will raise the required capital.

As to the latter, the names of the promoters afford an ample guarantee; and with respect to the former, it will be evident that the Dutch Government will have a very strong interest in keeping up that communication once that Singapore is connected with India. Last February that Government sent out 40 miles of cable with which to repair their line.

I expect, indeed, to be in a position in a very short time to state that arrangements have been made with the Dutch Government, which will secure that link being efficiently maintained.

It only remains for me to ask your Grace to give your good offices in facilitating and forwarding the question of telegraphic communication with Australia, and I believe I can rely upon your Grace giving them.

I should, perhaps, have observed that the proposed telegraph to Australia will be established in shallow water, not exceeding an average depth of 50 fathoms, and be divided into short sections of about 500 miles.

The

The success of shallow sea lines is no longer a matter of doubt, and the distinction between them and those laid in deep water, where they cannot be repaired if they go out of order, is now well understood.

I have, &c.

His Grace the Duke of Newcastle, K.G.,
Secretary of State for the Colonies.

(signed) *F. Gisbrneo.*

Mr. *F. Gisborne* to the Governors of all the Australian Colonies.

(Circular.)

Sir, 6, Duke-street, Adelphi, London, 15 July 1862.

I HAVE the honour, on behalf of the promoters of the Anglo-Australian and China Telegraph, to enclose a printed statement of the objects for which they have associated themselves; also copy of a document addressed to me, and signed by them, dated the 3d March last; also copy of a letter dated the 14th instant, addressed to me by Messrs. Forde & Fleeming Jenkin, enclosing estimates for the construction, working, and maintenance of the telegraph line between Java and Brisbane; also a map showing the telegraphic system which they propose to carry out, with a view to connecting India with China and Australia. This undertaking comprises, 1st. A submarine line between India (Rangoon) and Singapore, to be extended to Hong Kong; and, 2dly. A submarine line between Singapore or Java and the terminus of the telegraph system of Australia, which at present is at Brisbane; also a tariff table between London and Alexandria.

The promoters are in negotiation with the Government of India as regards the first portion of the undertaking, and Sir Charles Wood gave a deputation of their body, which waited upon him on the 27th ultimo, the most positive assurance that the link between India and Singapore would be completed either by the Government itself or by aiding a Company contemporaneously with the carrying out of the lines to Australia and China.

The promoters hope also to make arrangements with the Dutch Government to have a cable of their own between Singapore and Batavia, though that Government sent out 40 miles of cable last February to repair their line; and there is no doubt that they will have a paramount interest in keeping up that communication efficiently, once that Singapore is connected by telegraph with India.

The promoters have already the right to have a separate wire through Java, and to settle the tariff in conjunction with the Dutch Government as far as Singapore. The same powers are reserved to Her Majesty's Government; indeed no tariff can be settled anywhere between Malta and Java without the assent of Her Majesty's Government. You well know, sir, that the soundings between Java and Brisbane, along the proposed course, have been taken in the greatest detail almost everywhere, and show a soft and uniform sea bottom seldom exceeding 50 fathoms in depth. The stations also can be so placed as not to be more than 500 or 600 miles apart. The permanent working and maintenance of telegraph cables laid under such conditions does not admit of a doubt.

At this moment more than 3,000 miles of cable, containing upwards of 5,000 miles of insulated wire, are successfully at work in shallow water, say within 100 fathoms, the longest being that laid last year between Malta and Alexandria, parallel to the African Coast, over a distance of 1,300 nautical miles; some of these lines have worked eight or ten years, and a large proportion have cost nothing for repairs. The establishment of telegraphic communication between Australia and India will convert the present monthly communication between England and Australia into a weekly communication, and will bring them within, say, 16 days of one another. When telegraphic communication is established between Egypt or Turkey in Asia, and India, the time will be further reduced to, say, a couple of days, or under proper arrangements to a few hours.

The results of my visit to Australia in 1860 for the purpose of obtaining subsidies for the line between Java and Queensland may be shortly stated as follows:—New South Wales voted a subsidy of 10,000 *l.* a year without requiring the Home Government to contribute. Victoria voted 13,000 *l.* a year contingent upon the Home Government contributing something; and the Governments of Tasmania, New Zealand, and Queensland, promised proportionate contributions. Subsequently the Government of Victoria made an offer to the Home Government to provide half of the whole subsidy that might be required if the Home Government would also provide half. It was understood at the time that Victoria would take Tasmania, South Australia, and Western Australia, as her co-contributors; leaving New South Wales, Queensland, and New Zealand, as co-contributors with the Home Government, which would practically reduce the contribution of the Home Government to a trifling amount. The whole annual subsidy I then asked for was 35,000 *l.*, to raise a capital of 800,000 *l.*, calculated to provide a cable similar to that then recently laid in the Red Sea; the outer iron covering of this cable, however, has since proved very much too light and liable to corrosion. The greater portion of this cable was laid in deep water, or in over 100 fathoms, where it was impracticable to repair it. The failure of this and other deep sea cables made it impossible for some time to act upon the resolutions passed by the Australian Legislatures. The public did not at first discriminate between deep and shallow water cables, but the obvious and continued success of all shallow sea lines has revived public confidence in these undertakings.

It is now proposed to lay a cable three and a half times the weight of that laid in the Red Sea, and, moreover, protected against corrosion by a hard bituminous outer covering, which has been successfully applied to cables in the English and Irish Channels. This cable will be capable of transmitting 70,800 messages of 20 wordseach per annum. This number of messages could be doubled by adopting the latest improvements in the transmitting instruments. To lay this heavier cable it will be necessary to increase the capital to one million one hundred thousand pounds (1,100,000 *l.*), which includes a sufficient reserve fund for future repairs, as appears by the enclosed estimate.

The promoters ask that an annual subsidy of fifty thousand pounds (50,000 *l.*) be granted to them to raise the amount of capital. This subsidy has been calculated on the basis already adopted in the resolutions passed by the Legislatures of New South Wales and Victoria in 1860.

They also ask that the subsidy shall run for 30 years instead of 21 years, and that the surplus net profits over 15 per cent. instead of over 10 per cent. as stated in those resolutions shall belong to the contributing Governments. In return for these additional advantages they now offer to transmit the messages of the Colonial and Home Governments without payment, to the extent of the subsidy, and in case the Home Government does not contribute to place the tariff value of their messages to the credit of the subsidy, the Colonies only paying the difference.

This was not stipulated for in the resolutions. We estimate the additional business which the subsidised line will bring upon the telegraphs in Australia at 40,000 messages of 20 words each per annum. This will prove a considerable source of revenue towards covering the subsidy.

With these and a few minor alterations which explain themselves, the resolutions already alluded to would stand as follows, leaving the contribution of the Home Government, if required, to be settled by negotiation :

1. That the Governments of Victoria and New South Wales shall grant to a Company of approved stability, in such proportions as they may agree upon, an annual subsidy not exceeding in the whole fifty thousand pounds (50,000 *l.*) for a period of 30 years, to induce such Company to construct and maintain a line of telegraph between Java and Brisbane, or Broad Sound, in case the Government of Queensland undertakes to extend its telegraphs to that point by the end of 1864.

2. That such Company shall within two and a half years after a contract has been entered into, construct such line of telegraph, unless prevented by war or the dangers or accidents of the seas, and afterwards maintain it in good working order at its own expense.

3. That the proposed subsidy shall be proportionably payable on the capital of the Company actually paid up and expended, and shall not exceed five per cent. on such capital, and the contract for the manufacture and laying of the cable shall be open to public tender, and the lowest tender accepted, the satisfactory nature of which competent electricians in England shall determine.

4. That no payment of such subsidy shall be made until the line of telegraph to be constructed has been in working order for three consecutive months, and such payments shall be made rateably only for the period during which the line so constructed is open for the transmission of messages, unless any interruption shall take place in consequence of war.

A period of 90 days is, however, to be granted in every three years for executing repairs, without any deduction being made from the subsidy.

5. If such line shall be closed, unless by reason of war, or shall not be in a state of efficiency for the transmission of messages for any consecutive 18 months, then the contract with such Company shall be void.

6. That a tariff of charges for the transmission of messages over such line shall be agreed to by the several contracting Governments and the Company before any contract is entered into, and such tariff shall not afterwards be altered without the concurrence of such Governments.

The tariff to be charged on the first opening of the line is not to exceed 2 *s.* 6 *d.* for every 100 nautical miles, or any portion of such distance in respect of messages containing altogether 20 words.

7. That in the event of the net profits of the Company exceeding in any year the rate of 15 per cent. per annum, whether derived from subsidy or other sources, such excess shall be rateably applied to reduce the respective contributions of the contracting Governments.

8. That an agreement be entered into between the Australian Governments (to which the Company shall not be a party), providing that each of the parties thereto shall contribute annually towards the whole subsidy that is to be paid to the Company in the proportion that the tariff value of their respective messages shall bear in every year to the total tariff value of all the messages transmitted through the subsidised line in the same year.

9. That the Company shall transmit all the messages of the Colonial and Home Governments without payment, to the full extent of the subsidy in each year, calculated at the tariff rates, but are to be paid for such messages as are not covered by the subsidy, Should the Home Government not contribute to the subsidy, the tariff value of the messages sent by them

them will be placed to the credit of the subsidy, and the difference only will have to be paid by the Colonies.

The substitution of Broad Sound for Brisbane will save 350 miles of sea line, but will not reduce the number of stations or the total working expenses. It will reduce the actual outlay by 70,000 *l.*, which will bring it under 1,000,000 *l.* (*vide* estimate), and will effect a saving in the subsidy under the terms of the third resolution.

It is impossible to attract capital for investment in long submarine lines without the expectation of large dividends, and I trust, sir, that the terms asked for will not be altered. The names of the promoters are a sufficient guarantee that the best opinions have been taken.

They will select a Board of Directors out of their number so soon as they are informed that their proposition is entertained, and will raise the capital, and be in a condition to let the contract for the work within, say, two months of their obtaining the subsidy. It will be made a condition with the contractors that the work be completed within two years.

When I was out in Australia, the necessity for appointing a colonial agent in England to act in this matter seemed to be well understood. It is indeed evident that his services will be useful to obtain the concurrence of the Home Government if that is required, also to carry out the precise intentions of the Colonies in the agreement with the Company, and to act on the Company's Board, at least until the work is completed, as the official director representing the colonial interest.

I would beg to suggest, in conclusion, that such agent have power to conclude the agreement with the Company, without waiting for the concurrence of the Home Government, or in case of refusal, having to refer that refusal back to Australia. Only one-fifth of the line, the section between Java and Timor, will be outside Australian waters, and Her Majesty's Government has undertaken to complete the lines as far as Singapore. Her Majesty's Government will, no doubt, assist with ships to take additional soundings, and to pilot the cable expedition.

The whole subject of telegraphic communication with England was thoroughly discussed in all its bearings for a whole year during my visit to Australia, and I feel it is unnecessary for me to enter more fully into the subject.

I will from time to time inform you of the progress of our measures to lay a cable between India and Singapore, and a new one thence to Java.

I have, &c.
(signed) *F. Gisborne.*

London, 3 March 1862.

THE undersigned will use their best efforts to carry out, through the medium of a private Company, a line of telegraph between Rangoon, the present terminus of the Indian telegraphs, and Singapore, in the event of Her Majesty's Government granting an annual subsidy, calculated to pay for the working and maintenance expenses of the line.

The payment of the subsidy to be contingent upon the successful working of the cable.

(Signed as follows—the descriptions in brackets have been added.)

The Peninsular and Oriental Steam Company,
[Per C. W. Howell, Secretary.]

Jas. Ed. Coleman,
[Public Accountant to the Bank of England.]

Geo. G. Nicol,
[Chairman, Chartered Mercantile Bank of India, London and China.]

Geo. May,
[Of May, Mathewson & Co.]

H. W. Eaton,
[33, Old Broad-street.]

Chas. E. Mangles,
[Chairman of the Royal Mail Steam Packet Company, and Director of the Union Bank of Australia.]

R. Campbell,
[Director of the Union Bank of Australia.]

D. Q. Henriques,
[Director of the Bank of Australasia.]

Charles Morris,
[Director of the Bank of Australasia.]

Jas. J. Cummins,
[Chairman of the Union Bank of Australia.]

F. H. Dutton,
[45, Dover-street.]

H. A. Hankey,
[Lane, Hankey & Co.]

W. W. Cargill,
[Director of the Oriental Bank Corporation.]

Peek, Brothers & Co.,
[20 and 21, East Cheap.]

W. N. de Mattos,
[27, Leadenhall-street.]

Richard R. Wade,
[Director of the National Provincial Bank of England.]

Daniel Cooper,
[Director of the Bank of New South Wales.]

Wm. Fane de Salis,
[Chairman, London Chartered Bank of Australia.]

J. B. Elin,
[Director of the Union Bank of Australia.]

David Salomons,
[Alderman, Member of Parliament, and Chairman of London and Westminster Bank.]

H. G. Gordon,
[Chairman of Oriental Bank Corporation.]

T. M. Mackay & Co.,
[Shipowners, 1, Leadenhall-street.]

Ashton & Co.,
[39, Lombard-street.]

G. U. Adams,
[For the Chartered Bank of India, Australia, and China.]

Halliday, Fox & Co.,
[4, Cullum-street.]

Jno. Okell,
[46, Fenchurch-street.]

Robert Smith & Co.,
[St. Michael's Alley, Cornhill.]

J. L. Fraser & Co.,
[39, Nicholas-lane.]

Scott, Bell & Co.,
[2, Alderman's Walk, Old Broad-street.]

Kay, Finlay & Co.,
[2, King William-street.]

T. D. Findlay & Co.,
[Glasgow.]

Thos. Bonhote & Co.,
[150, Leadenhall-street.]

Ogle & Co.,
[24 and 25, Fenchurch-street, Agents to the Burmah Company, Limited.]

Knight, Coleman & Co.,
[Brokers to the Indian Telegraph Company.]

How, Brothers, & Co.,
[4, Cullum-street.]

The Borneo Company (Limited),
[John Harvey, Managing Director.]

S. D. Sassoon,
[8, Leadenhall-street.]

Grindlay & Co.,
[55, Parliament-street.]

James Wiseman & Co.,
[Glasgow.]

A. Middleton.
[Liverpool.]

F. Gisborne, Esq.

London, 3 March 1862.

THE undersigned will use their best efforts to carry out, through the medium of a private company, a line of telegraph between Rangoon, the present terminus of the Indian telegraphs, and Singapore, in the event of Her Majesty's Government granting an annual subsidy, calculated to pay for the working and maintenance expenses of the line.

The payment of the subsidy to be contingent upon the successful working of the cable.

(Signed as follows—the descriptions in brackets have been added.)

The Peninsular and Oriental Steam Company,
[per C. W. Howell, Secretary.]

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The Borneo Company (Limited),
[John Harvey, Managing Director.]

Grindlay & Co.,
[55, Parliament-street.]

F. Gisborne, Esq.

6, Duke-street, Adelphi,
14 July 1862.

Dear Sir,

We enclose you an estimate of the first cost and maintenance expenses of the proposed cable between Java and Brisbane.

You will see by the specification that we recommend the adoption of a heavy and somewhat expensive cable. Small and cheap cables have seldom proved permanently successful, and we think it bad policy to spare money on this part of the expenditure. The core will transmit, with the usual Morse instruments, from seven to eight words per minute between the proposed stations.

With new improved instruments, this number of words could be doubled.

The outer covering of heavy iron wires is suitable to the depth of water along the proposed route. These wires are, moreover, to be protected against corrosion by a hard bituminous outer coating. We believe that the sum named as the cost of this cable free on board in England will agree well with the tenders to be obtained from first-class makers by public competition.

Contractors have hitherto been generally employed for the transport and submerging of cables, but we think that in a line like the present, where there is really no risk of failure, the large sums usually paid under this head can be saved; and we have framed the estimates on the supposition that the Company will transport and lay the cable by means of its own officers.

A large saving will thus be effected, and the Company's officers will have a thorough control over the execution of this part of the work, which has hitherto frequently not been the case.

The proposed arrangement will also enable a large number of firms to tender for the outer covering.

We propose to use sailing vessels for the conveyance of the cable, in wrought iron watertight tanks, from England to Australia.

The adoption of this plan, without any sensible increase of risk or delay, still further diminishes the estimate below the sum which would be required if the cable were to be carried (as formerly estimated) in steamers specially built or chartered for the purpose.

The proposed plan entails the purchase of two large and powerful steamers, which would, however, in all probability, be used to lay the Rangoon-Singapore, the Singapore-Hong Kong, and a new efficient Singapore-Batavia cable. In any case, these steamers would be sold and replaced by one or two smaller and less expensive boats for repairs. One boat would be sufficient for the Java-Brisbane section, but two would be required for the whole eastern system. The Java-Brisbane section is, at the end of the estimate, credited with a portion of the purchase money of the large steamers, either on account of their sale, or as part of their first cost, which would be charged against the other sections.

The total cost of each of the four sections, if carried out with the same steamers and staff, within three and a half years, would be as follows:

	£.
Rangoon-Singapore	450,000
Singapore-Batavia	170,000
Java-Brisbane	1,100,000
Singapore-Hong Kong	530,000
Total	£. 2,250,000

You will perceive that while nothing has been spared to secure a strong and efficient cable, the utmost possible economy has been studied in the plans for carrying out the work, and the estimates are consequently very little higher than those laid by you before the Australian Legislatures for a cable of less than one-third the weight of that now proposed.

The cost of working and maintenance may appear high, but we are convinced by experience that it is desirable to have a very ample staff of first-class men for the superintendence of a submarine line, and that, moreover, it is desirable to use a very superior class of telegraph clerks to those employed on land lines.

We also consider it absolutely necessary to provide an efficient steamer to be maintained constantly on the line in readiness to effect any necessary repairs. Interruptions which need not have lasted more than a few days have, on some lines, been prolonged for months for want of such a steamer. This boat will also visit the stations periodically.

The estimate for home management and engineering is reasonable, and the sum put down for the sinking fund is small, but we believed it to be sufficient: 15,000 *l.* per annum is allowed for the repairing steamer. This sum, with the 320 knots of spare cable provided at the outset, will meet all the expenses of repairs during, say, the first 15 years. At the end of that time, the sinking fund of 12,000 *l.* at 4 per cent. compound interest will amount to over 240,000 *l.*, which, with the reserve of 100,000 *l.*, will make an available fund of 340,000 *l.* for the complete renewal of any section or sections, or for the extension of the lines.

The duration of the cable has hitherto depended on the time during which the outer iron wires remain sound. In some seas, iron decays very slowly; in others, more rapidly; but it is believed that the bituminous covering will ensure the permanency of the cable. We, therefore, are far from anticipating that any section will require renewal at the end of 15 years, but it is certainly desirable that a considerable sinking fund should be provided to meet emergencies.

The Malta-Alexandria cable, only 1,300 knots long, and situated near England, cost the Imperial Government nearly 500,000 *l.* This fact alone will show that our estimate of 1,100,000 *l.* for a stronger cable, 3,024 knots long, to be laid in Australian waters, is framed in the most economical manner. This estimate is, however, the result of careful consideration, and we are convinced that the work can be efficiently carried out for the above sum in from two to two and a half years.

We enclose a small map of the proposed lines,

And remain, &c.
(signed) *Forde & Fleeming Jenkin.*

F. Gisborne, Esq.

INDIA, AUSTRALIAN, AND CHINA TELEGRAPH.

ABSTRACT of Specification for a Cable between Java and Brisbane.

Main Cable.

	Lbs.	
7 Copper wires in a strand, weighing, per knot -	150	
3 Coverings of gutta percha, and three of Chatterton's compound - - - - -	230	
		Cwt.
TOTAL Weight of Core - -	*Lbs.* 380	= 3·40
Jute and tar - - - - - - - - -		4·20
10 Best selected charcoal iron wires, No. 6 B.W.G. -		52·40
Outer protection—Latimer Clark's patent - - -		14·00
TOTAL Weight per Knot of Main Cable - -		*Cwt.* 74·00

Shore Ends.

	Cwt.
Core as above - - - - - - - - -	3·40
Jute and tar - - - - - - - - -	9·50
10 Best selected charcoal iron wires, No. 1 B.W.G. -	121·10
Outer protection—Latimer Clark's patent - - -	20·00
TOTAL Weight per Knot of Shore End - -	*Cwt.* 154·00

Length of Cable required.	*Knots.*
Cape Sedano (East Java) to Coepang (Timor)	590
Coepang to Port Essington	525
Port Essington to Cape York	635
Cape York to Cape Cleveland	619
Cape Cleveland to Moreton Bay	655
Total direct Distance — *Knots*	3,024
5 % Slack probably used	151
	3,175
10 %. Spare cable for subsequent repairs	317
Total Cable required — *Knots*	3,492

	Knots.
Of which, Main Cable	2,970
Shore Ends	522
Knots	3,492

Estimated Cost of Line to be carried out in Two Years from the signing of the Contracts.

	£.	£.
2,970 knots of main cable, at 151 *l.* per knot	448,470	
522 knots of shore ends, at 244 *l.*	127,368	
Insurance 5 % on 575,838 *l.*	28,792	
Total Cost of Cable free on board in England — £.		604,630
13,000 tons of cable conveyed to Melbourne in sailing vessels, specially chartered, and fitted with a wrought iron water-tight cable tanks, pumps, &c.	—	98,450
Two steamers for laying the cable, each 1,800 tons gross register, fitted with large water-tight cable tanks, with picking-up and paying-out machinery	70,000	
[*N. B.*—These steamers will take out 2,000 tons cable.]		
Coals for the two ships during the outward voyage, and laying the cable; in all, 600 days, at 25 tons per day = 15,000 tons, at an average of 50 *s.*	37,500	
Wages, stores, provisions, insurance, special stores, and contingencies	59,920	
Total First Cost and Working Expenses of Steamers — £.		167,420
Six stations, with furniture, instruments, land line, and salaries of clerks during construction of line	43,780	
Engineering and electrical staff employed to superintend the manufacture in England, and to lay the cable in Australia	39,866	
Expenses of management in England	13,750	
Total Stations, Salaries, and Management — £.		97,396
Interest during construction		62,500
Reserve fund		100,000
Total Cost of Line — £.		1,130,396
Credit by part of first cost of steamers charged to other sections, or by sale of steamers		30,396
Total Capital required — £.		1,100,000

Maintenance per Annum.

	£.
Six stations, including general superintendence	18,000
Annual cost of steamer and stores	15,000
Direction and home expenses, with engineer	5,500
Renewal fund	12,000
Total — £.	50,500

6, Duke-street, Adelphi, W. C.,
29 April 1862.

Dear Admiral Washington,

I ENCLOSE you a memorandum as to shipping required for the Rangoon-Singapore Line. It is rather roughly drawn out, but the figures are correct. If you require any further information, I shall be only too glad to furnish you with it.

Yours, &c.
(signed) *H. C. Forde.*

Rear-Admiral Washington, Hydrographer,
Admiralty.

INDIA-SINGAPORE TELEGRAPH.

MEMORANDUM in reweight of Cable, &c. to be carried, for Rear-Admiral Washington's information.

	Tons.
1,180 knots of main cable - - - - - - -	2,695
120 ,, shore ends - - - - - - -	985
Water in cable tanks - - - - - - - -	620
Iron tanks for cable - - - - - - - -	300
Machinery, telegraph stores, &c. - - - - - -	200
TOTAL Weight to be carried - - -	4,800 tons.

Occupying a space of 70,000 cubic feet.

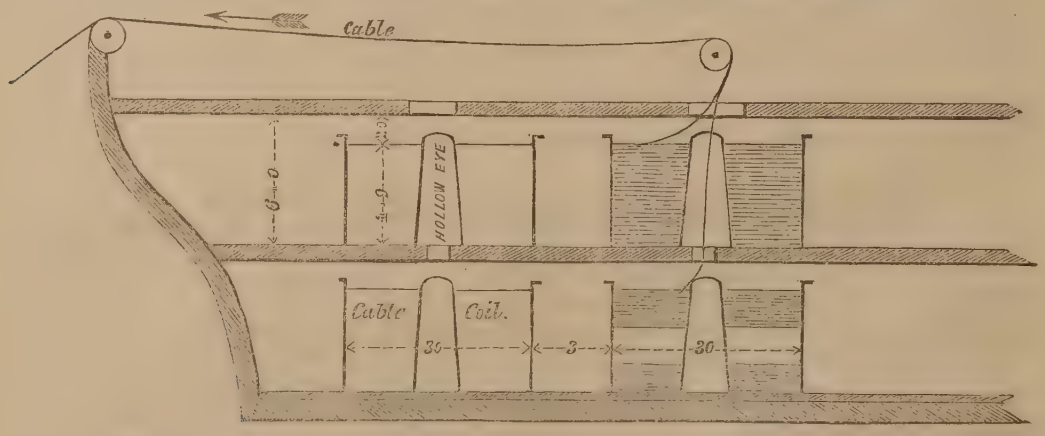
The above is exclusive of coals, ships' stores, &c.

Of the above, 4,600 tons of dead weight must be carried in not less than eight nor more than 24 cylindrical tanks; the smaller number the better.

The top of each coil must be at least two feet clear of the deck immediately above it.

The diameter of the tanks should be 30 feet or more in the clear, and should not, in any case, be less than 24 feet in diameter: 20 coils 30 feet diameter, and four feet nine inches in height, will be sufficient to carry the cable.

If two large ships were employed, and it was considered undesirable to cut the decks or bulkhead, an arrangement, as shown in the following sketch, might possibly be made.



In this way, 5 tanks on each deck might be constructed, occupying a space of about 170 feet in length, and 32 feet in width.

The 620 tons of water might, at any time be pumped out of the tanks if required, but it is desirable as far as possible to carry the cable to its destination under water.

In making these calculations, I assume the height between decks to be six feet three inches in the clear.

It would not occupy much time in fitting a ship in this way, and the fittings could be removed afterwards without injury to the ship.

The ships, if discharged in India, would be required for six months; if discharged at home, about nine months.

(signed) *H. C. Forde.*

6, Duke-street, Adelphi,
29 April 1862.

6, Duke-street, Adelphi,
8 May 1862.

Dear Sir,

We enclose an abstract of the cost of working and maintaining the Rangoon and Singapore Submarine Telegraph Cable.

The constant expenses in India include the cost of working four stations 24 hours per diem, and the cost of such a staff as would be sufficient to superintend the repairs which may be necessary from time to time.

The possible maintenance expenses (omitting the cost of the required steamer) could hardly exceed the sum named, which provides for the stores, depreciation of machinery, and the extra labour required during the repairs.

Yours, &c.
(signed) *Forde & Fleeming Jenkin.*

Francis Gisborne, Esq.

P.S.—The spare cable required for repairs is provided for in the estimate of the first cost of the line, which you have already received.

RANGOON-SINGAPORE TELEGRAPH.

ABSTRACT of Working Expenses (exclusive of Cost of Steamer to be maintained on Station).

	£.
Constant expenses in India	12,120
„ „ at home	2,985
	£. 15,105
Possible annual cost of maintenance	£. 1,000

INDIA-SINGAPORE TELEGRAPH.

Official Shipping and Traffic Returns.

(1.) Shipping (exclusive of Native Vessels in all cases).

Total Vessels arrived at and departed from Singapore, 1860		2,213
Ditto ditto Penang, 1860		288
Ditto ditto Rangoon from and to Straits of Malacca and China, 1860		137
Total Vessels at Telegraph Stations		2,638
Entered at and cleared from Bangkok (Siam), 1860		269
Ditto ditto Ports in Java and Madura for Europe, America, Cape of Good Hope, India and Gulf of Persia, for 1859		682
		3,589
Total Vessels entered at and cleared from Shanghai, 1860	1,548	
Ditto ditto Hong Kong	2,041	
Ditto ditto Canton	424	
Ditto ditto Amoy	753	
Ditto ditto Foochow Foo	476	
Ditto ditto Macao	193	
Ditto ditto Other Chinese Ports	302	
Total for China		5,737
Total Vessels entered at and cleared from Manilla		482
TOTAL Vessels		9,808

N.B.—The above numbers are taken from Lloyd's List, and for Java from official returns of the Dutch Government.

(2.) Traffic Returns.

	£.
Total Imports and Exports for Singapore in 1860	10,371,302
Ditto - ditto - and re-exports for Penang, 1860	3,438,037
Ditto - ditto - Rangoon, with Straits of Malacca and China, 1860	175,264
Total Imports and Exports of Telegraph Stations - £.	13,984,603
Ditto - ditto - Bengal with China, &c., 1858–1859	6,710,710
Ditto - ditto - Bombay and Madras with China, &c., 1858–1859	6,245,560
Ditto - ditto - Java with Holland, France, America, &c., 1859	8,047,818
Ditto - ditto - Great Britain with China, Japan, Philippines, Siam, Borneo, Sumatra, and Java, 1860	23,658,492
Ditto - ditto - Continent of Europe with China and Manilla (say)	500,000
Ditto - ditto - America with ditto - ditto	3,761,543
Total Value of Trade - £.	62,908,726

24 January 1862.

— No. 32. —

The Under Secretary of State for India to Mr. *F. Gisborne.*

India Office, 29 August 1862.

Sir,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 25th ultimo, and to acquaint you, in reply, that having been advised by the Lords' Commissioners of the Treasury that they have declined to accede to your application for aid towards the establishment of a Java and Queensland Telegraph, he is not prepared to take any further steps towards the establishment of a telegraph between Rangoon and Singapore.

I am, &c.

F. Gisborne, Esq.,
6, Duke-street, Adelphi.

(signed) *Herman Merivale.*

— No. 33. —

Mr. *F. Gisborne* to the Secretary of State for India.

6, Duke-street, Adelphi,
21 October 1862.

Sir,

I have the honour to enclose in copy, a letter, dated the 19th ultimo, addressed to me by the Colonial Minister at the Hague, engaging the Netherlands Government to pay during the working of the line an annual subsidy of 8,500*l.* for a period of 30 years, so soon as a new cable shall be laid between Singapore and Batavia by the promoters of the Anglo-Australian and China telegraph.

I also beg to enclose copy of the contract granting the subsidy, also the translation of a letter dated the 20th of August last, addressed to me by the same Minister, stating that soundings have been ordered to be taken between Cape Sedano (Java) and Koepang (Timor). I have also applied to the French Government for an annual subsidy of 11,000*l.* to lay a cable between Singapore and Saigon, but I have not as yet got the official answer.

I would beg to observe, with reference to Mr. H. Merivale's letter to me of the 29th of August last, that only one of the Australian Colonies, namely, Victoria, made it a condition that the Home Government should contribute anything towards the Java-Queensland telegraph; that contribution will be moreover practically reduced to one-fifth of the whole subsidy, as explained in the printed statement I communicated to the Under Secretary of State for India, on the 25th of July last. I therefore draw the conclusion from this state of facts

facts that the refusal of the Treasury to contribute towards that line of telegraph will not prove an obstacle to its success, or indeed delay its execution, and should not therefore suspend the action of the Government of India as respects the India-Singapore telegraph, the execution of which should be determined upon before the promoters of the outlying lines to China and Australia can be expected to complete all the arrangements for the carrying out of the latter lines.

I have, &c.
(signed) *F. Gisborne.*

The Right Hon. Sir Charles Wood,
Secretary of State for India,
&c. &c. &c.

Enclosure 1, in No. 33.

La Hage, le 19 Septembre 1862.

Après avoir obtenu pour cela l'autorisation de Sa Majesté le Roi, j'ai l'honneur de vous déclarer, que le Gouvernement des Pays Bas est disposé à conclure avec vous un contrat pour l'établissement et l'entretien d'un télégraphe sous-marin entre Batavia et Singapore, après que vous vous serez adressé à cet effet dans la qualité de représentant de la "Anglo-Australian and China Telegraph Company," et que vous aurez fourni la preuve de la constitution de cette société avant la fin de 1863.

Il est entendu que la présente déclaration se rapporte au projet de contrat arrêté provisoirement entre nous, et dont le texte se trouve reproduit ci-dessous.

Parmi les conditions formulées dans ce projet, la réserve contenue dans l'article 14 me semble mériter de vous être rappelé expressément.

Je vous prie de m'accuser la reception de ma présente lettre.

J'espère que la conclusion du contrat se fera dans le délai indiqué, et que l'occasion se présentera d'apporter au préalable quelques changements, non pas dans la portée des articles, mais dans leur rédaction.

Le matériel pour le service de la ligne télégraphique du Gouvernement entre Batavia et Singapore, dont la compagnie susdite est disposée, d'après l'assurance que vous m'en avez donnée verbalement, à débarrasser le Gouvernement à des conditions équitables, pourra être mis à la disposition de la compagnie après la conclusion du contrat qui ne contient point de stipulation à ce sujet.

(signé) Le Ministre des Colonies,
G. H. Uhlenbeck.

À Monsieur Francis Gisborne,
6, Duke-street, Adelphi, à Londres.

Enclosure 2, in No. 33.

Conditions.

Établissement d'un Telegraphe Sous-marin entre *Batavia* et *Singapore*.

Article 1.—La Société dite "Anglo-Australian and China Telegraph," représentée par Mr. F. Gisborne de Londres, s'engage à établir une ligne* télégraphique sous-marine entre Singapore et Batavia. Le Gouvernement de Sa Majesté le Roi des Pays Bas payera de sa part, comme subside annuel, 8,500 *l.* durant un espace de trente ans. Montant et duré du subside annuel.

En cas que les frais de cette ligne resteront au-dessous de 170,000 *l.*, le subside sera réduit à 5% de ces frais.

Article 2.—La dite ligne sera posée simultanément avec les autres lignes télégraphiques entre les Indes Britanniques et Singapore, et entre Java et l'Australie. Délai pour l'établissement de la ligne.

Tant que possible la ligne Singapore-Batavia sera achevée dans un délai de deux ans.

Elle devra être posée au plus tard dans quatre ans, à partir d'aujourd'hui, sous peine d'annulation de ce contrat.

Article 3.—Le payement du subside commencera trois mois après que les lignes Batavia-Singapore et Singapore-Rangoon seront ouvertes. Payement du subside.

Le subside sera payé per trimestre, le trimestre échu, en échange du compte rendu des trois mois révolus.

Article 4.—En cas que le communication télégraphique entre Batavia et Singapore sera interrompue par force majeure, y compris l'état de guerre, où l'un des partis contractants se trouverait avec une puissance Européenne ou indigène, et dans le cas d'une révolte, une partie proportionnelle sera déduite du subside pour chaque jour qu'une telle interruption Circonstances qui font suspendre le payement du subside. Trente jours accordés annuellement pour réparation, &c., sans réduction du subside.

* Le ligne qui fut posé auparavant n'existe plus.

interruption durera. Un espace de trente jours sera néanmoins accordé chaque année pour la réparation de la ligne, sans aucune réduction du subside.

Transmission gratuite des dépêches gouvernementales jusqu'à concurrence du subside.

Article 5.—Pour la transmission de dépêches du Gouvernement de Sa Majesté le Roi, tant aux Indes qu'aux Pays Bas, entre Rangoon-Singapore-Batavia et entre les stations sur les territoires Néerlandaises aux Indes, qui sont compris dans l'établissement de la ligne; pour ce qui concerne le trajet entre Rangoon et Singapore seulement pour le cas que ce trajet fait partie des lignes de la société; ne sera dû aucun payement si le tarif n'en fait monter les frais annuels au dessus du subside. L'excédant sera dû en payement annuel d'après le tarif susmentionné.

Réglement du tarif. Emploi obligatoire de la ligne gouvernementale à Java.

Article 6.—Le tarif de toutes les dépêches, soit gouvernementales, soit privées, transmises par une des lignes mentionnées dans l'article 2, ainsi que de celles que la société établirait éventuellement, et dont les stations se trouveraient placées dans les possessions Néerlandaises, sera fixé par le Gouvernement de Sa Majesté le Roi, de commun accord avec la société, pour ce qui concerne le trajet entre Singapore et la côte occidentale de Java et *vice versâ*, ainsi qu'entre les stations intermédiaires. L'emploi de la ligne gouvernementale à Java, en transits, est obligatoire pour la société, qui reliera ses lignes à la dite ligne, et le Gouvernement des Indes Néerlandaises ajoutera, en cas de besoin, un fil à celle-ci pour la transmission des dépêches de et pour l'Australie, simultanément avec la pose du cable entre Java et ce pays.

Préférence des dépêches gouvernementales.

Article 7.—Les dépêches du Gouvernement de Sa Majesté le Roi auront la préférence sur toute dépêche privée, et iront de pair avec les dépêches du Gouvernement Britannique sur toutes les lignes de la société.

Profits de la ligne Singapore-Batavia.

Article 8.—En cas que le produit net de la ligne, soit à cause du subside, soit d'autre cause, les frais d'exploitation, et d'entretien soldés et la contribution annuelle pour le fonds de renouvellement reservée, dépasse pendant une année 15% du capital, ce surplus sera déduit des payements effectués par le Gouvernement de Sa Majesté le Roi comme subside.

Cette déduction faite, le produit entier de la ligne appartient à la société.

Droit d'appropriation du Gouvernement Néerlandaises de la ligne Batavia-Singapore. Calcul du prix d'achat.

Article 9.—Le Gouvernement de Sa Majesté le Roi aura le droit de s'approprier la ligne et tout ce qui en constitue la propriété, y compris le fonds de réserve pour le renouvellement, trois ans après que la ligne sera achevée, pourvu qu'il accuse son intention un an d'avance, au prix d'une somme équivalente à trente fois le revenu net moyen des trois années qui précéderont l'achat de la ligne, soit que ce revenu net provient du subside ou d'autres sources, tous les frais d'exploitation et d'entretien payés, et réserve faite des capitaux pour le fonds de renouvellement, mais la société ne sera pas obligée de vendre la ligne pour moins que le coût total de celle-ci.

Entretien obligatoire de la ligne Singapore-Batavia par le Gouvernement Néerlandaises, en cas d'appropriation.

Article 10.—Le Gouvernement de Sa Majesté le Roi voulant user du droit mentionné dans l'article précédent sera obligé d'entretenir toujours la communication télégraphique entre Batavia et Singapore, excepté en cas de guerre avec une puissance Européenne. Dans le cas susmentionné le tarif sera néanmoins fixé d'après l'article 6, et la transmission des dépêches se fera toujours d'après les termes de l'article 7.

Les engagements précédents seront exécutés de bonne foi et autant que l'exécution en sera possible.

L'établissement des stations dans les possessions Néerlandaises.

Article 11.—Aucune station ne sera établie dans les possessions Néerlandaises qu'avec la permission du Gouverneur Général des Indes Orientales. Ces stations doivent être accessibles aux fonctionnaires Néerlandais. Le Gouvernement de Sa Majesté le Roi se réserve le droit d'établir de nouvelles stations aux Indes Orientales Néerlandaises pour la communication entre ses possessions, dans la direction des lignes de la société. Ces stations ressortéront sous l'administration de la société, mais le Gouvernement Néerlandais Oriental s'engage de dédommager les frais de ces stations en cas que les dépenses dépassent les recettes.

Les lignes passant par les possessions Néerlandaises construites aux frais de la société. Direction du Gouvernement Néerlandais, et sa participation aux profits et pertes.

Article 12.—En cas que la communication télégraphique entre Java et Australie nécessitât l'établissement de lignes sur des îles faisant partie des possessions Néerlandaises, l'exécution et l'entretien doivent se faire par la société et à ses frais.

Cependant la direction appartiendra entièrement au Gouvernement Néerlandais, lequel aura la jouissance des produits nets de ces lignes, déduction faite de 10% comme interêt sur le capital employé pour l'établissement de ces lignes.

Toutefois la société dédommagera le Gouvernement Néerlandais si les bénéfices ne couvrent pas les frais de direction.

Représentation du Gouvernement Néerlandais auprès de la société à Londres.

Article 13.—Le Gouvernement de Sa Majesté le Roi se fait représenter officiellement auprès de la direction de la société à Londres.

Sanction des États Généraux.

Article 14.—Le présent contrat sera soumis à la sanction du pouvoir législatif du Royaume des Pays Bas; à defaut de cette sanction le contrat restera sans effet.

Certifié conforme au projet, arrêté provisoirement avec Monsieur Francis Gisborne.

(signé) *Feith*,
Le Secrétaire Général du Ministère des Colonies.

Enclosure 3, in No. 33.

(Translation from the Dutch.)

The Hague, 20 August 1862.

In answer to your letter of the 7th instant, addressed to the Minister of Marine, I have the honour to inform you that the information respecting the nature of the sea-bottom between Cape Sedano and Koepang has been required by me of the Governor General of the Netherland Indies.

(signed) *G. H. Uhlenbeck,*
The Minister of the Colonies.

To Monsieur F. Gisborne,
Hotel Paulez.

— No. 34.

The Under Secretary of State for India to Mr. *F. Gisborne.*

Sir, India Office, 31 October 1862.

I am directed by the Secretary of State for India to acknowledge the receipt of your letter of the 21st instant, and in reply to refer you to my letter of the 29th August last.

I am, &c.
(signed) *Herman Merivale.*

F. Gisborne, Esq.

— No. 35. —

Mr. *F. Gisborne* to the Secretary of State for India.

Sir, 6, Duke-street, Adelphi, 21 January 1863.

My letter to the Under Secretary of State, of the 25th July last, and its enclosures, will have informed you of the proposition made last July to the Australian Governments, on behalf of the promoters of the Anglo-Australian and China Telegraph, to grant a subsidy of 50,000 *l.* per annum for 30 years from the laying and during the working of a cable between Java and Queensland; also in a letter to you of the 21st October last I enclosed copy of a contract, dated the 19th September last, by which the Dutch Government engaged to pay the promoters 8,500 *l.* per annum for 30 years for a new cable between Singapore and Batavia.

I now have the pleasure to enclose, in copy, a minute dated the 28th October last, containing the decision of the Queensland Government on the above proposition, and undertaking to contribute an equitable share of the cost of carrying out the work; also a letter dated the 25th October last from the Chief Secretary of South Australia, enclosing a Report by the Superintendent of Telegraphs, of which I enclose an extract.

The question of telegraphic communication between India and Australia is now in a very different position from what it was when I addressed Her Majesty's Government upon this subject in the beginning of last year. A cable will be laid in the Persian Gulf, and telegraphic communication completed with India this year.

The Dutch Government have granted the required financial assistance for a new cable between Singapore and Batavia; and the Australian Governments, following up what they did in 1860, are co-operating to grant the required financial assistance for their portion of the work; moreover, the work is likely to be facilitated by the cable being made to terminate at Gulf Carpentaria. I desire further to allude in general terms to the repeated occasions on which the Government of India have for the last five years held out expectations to the Dutch Government and to the promoters that the Rangoon-Singapore telegraph would be executed as part of the telegraphic system to Australia, and I humbly urge that circumstances are now ripe for the fulfilment of that pledge.

I beg to enclose the detailed proposition of the promoters respecting the Rangoon-Singapore telegraph or first section. The basis adopted is precisely the same as that already accepted by the Dutch Government and now under consideration in Australia, viz., an annual subsidy of 5 per cent. upon the cost, estimated for this section at 450,000 *l.*, or 22,500 *l.* per annum for 30 years from the completion and during the working of the cable, in return for the gratuitous transmission of state messages to the extent of the subsidy, and for an efficien control over the tariff of all messages. I beg also to enclose the names of the promoters attached to an undertaking to carry out this line, and a printed "statement" of their whole plan. The uncertainty which hangs over the execution of the Rangoon-Singapore section seriously embarrasses all steps taken to further the execution of the whole plan. An examination of the charts will show you, sir, that the whole of the proposed telegraphs can be laid within an average depth of 50 fathoms.

2.
See page 61.

I have, &c.
(signed) *F. Gisborne.*

The Secretary of State for India,
&c. &c. &c.

Enclosure 1, in No. 35.

QUEENSLAND.

COPY Minutes of Proceedings of the Executive Council on the 28th October 1862, respecting Electric Telegraphs.

REFERRING to former proceedings respecting the establishment of communication between Australia, India, China and the mother country by means of the electric telegraph, his Excellency the Governor lays before the Council a letter (dated July 15th ultimo) addressed to him by Mr. Francis Gisborne, on behalf of the promoters of the "Anglo-Australian and China Telegraph."

The Council deliberate on this letter and its enclosures. After full consideration, they advise adherence to the decision arrived at by the Government of Queensland when a somewhat similar proposal was mooted in 1860. That decision will be found recorded in the despatch of his Excellency the Governor to the Secretary of State for the Colonies, No. 26, of 14 March 1860 (see page 12–14 of the Parliamentary Papers, relative to the affairs of Queensland, presented to the Imperial Parliament by Command of Her Majesty in August 1861).

The rapid and daily advancing increase of settlement in Northern Queensland during the two years and a half which have elapsed since the date of their former decision, confirm the views then entertained by the Government. Pastoral occupation is already within less than 300 miles of the Gulf of Carpentaria, and will ere long reach its shores; on every consideration, therefore, of economy, safety, and certainty of communication, as well as of the general interests of Australian colonization, the Government of Queensland prefer an overland line from Port Essington, or from some point on the Gulf of Carpentaria, to the projected submarine line, *viâ* Cape Yoek to Brisbane.

Fully convinced from facts within their knowledge of the soundness of these views, the Government of Queensland are, however, prepared to co-operate, should the local Legislature approve, with the other Australian Governments, in the work of establishing telegraphic communication with Europe and Asia; and to contribute an equitable share of the cost of whatever arrangement may ultimately be found most likely to conduce to the realization of the object proposed, and to the common benefit of this group of colonies.

The Honourable the Colonial Secretary will cause a copy of this Minute of Council to be forwarded to Mr. F. Gisborne as the decision of the Queensland Government on the proposals contained in the letter addressed by him to his Excellency the Governor.

(signed) *A. W. Manning,*
Clerk of the Council.

Anglo-Australian and China Telegraph.

Statement of the Promoters.

The objects of the promoters, who represent 40 banks and firms trading with China and Australia, are to establish telegraphic communication between India and Australia, and between India and China, the effect of which will be to bring Australia and China into nearly instantaneous communication with India and with each other, and within, say, 16 days of Great Britain, besides converting the communication, which is now once a month only to Australia and once a fortnight to China, into a weekly one to each country. When telegraphic communication is re-established between Egypt, or Turkey in Asia, and India, the communication between Great Britain, China and Australia will be further reduced from 16 days to about as many hours.

To carry out these objects, it will be necessary to construct three lines of telegraph :—

1. To lay a submarine cable to connect Singapore with the telegraph system of India at Rangoon, the present terminus of that system, over a distance of 1,200 sea miles, with intermediate stations at Amherst (Moulmein), King Island and Penang.

2. To extend the cable from Singapore to Hong Kong (Canton), *viâ* Sarawak, Labuan and Manilla, a distance of 2,080 miles, or *viâ* the French settlement of Saigon, a distance of 1,678 miles.

3. To extend the Dutch lines which connect Singapore with Batavia and the east end of Java, from that point to the terminus of the telegraph system of Australia, which at present is at Brisbane, on the eastern coast, but which is likely to be soon carried further northward.

The distance from Java to Brisbane, *viâ* Timor and the Northern Coast of Australia, is 3.024 miles.

Soundings have been taken between Rangoon, Singapore and Hong Kong, also between Java and Brisbane, and they show that the different cables can be laid on a soft and uniform sea-bottom, seldom exceeding 50 fathoms in depth.

The numerous islands of these seas will enable stations to be placed about 600 miles apart—a convenient distance for working and repairs.

The Malta and Alexandria cable, which is longer than the proposed India-Singapore, and nearly half the length of the Java-Brisbane line, in common with nearly every other cable laid in shallow water, or say within 100 fathoms, has been maintained in permanent good working order. At this moment there are more than 3,000 nautical miles of cable, containing upwards of 5,000 miles of insulated wire, successfully at work in shallow water; some have worked eight or ten years, and a large proportion have cost nothing for repairs. Occasional interruptions are the only dangers to be feared; and when an efficient steamer is maintained for the purpose, any necessary repairs can be rapidly and easily effected.

The promoters have applied to the Government of India for an annual subsidy in support of the India-Singapore, or first section. Sir Charles Wood assured a deputation of the promoters that the Indian Government would carry out, or assist in carrying out, this section contemporaneously with the other sections.

They have applied to the French Government for an annual subsidy for that portion of the second section which is between Singapore and Saigon.

The Australian Legislatures voted considerable subsidies two years ago in support of the Java-Queensland, or third section, and they have been asked to apply them to carrying out the work at once.

All these subsidies are only to run during the successful working of the lines; but a reasonable time in each year is to be allowed for repairs, without any deduction in the payments. The Company will always have a steamer in readiness to effect any repairs which may be required.

The Singapore-Batavia line has been frequently interrupted. These interruptions have been due partly to the light cable used, and have been unnecessarily prolonged, owing to the absence of any organization for repairs; but the Dutch Government will have a strong interest in keeping up this telegraphic communication efficiently, so soon as Singapore is connected with India. They have granted the right to the promoters to have a separate wire through Java, and to settle the tariff of messages in conjunction with the Government.

Arrangements are in progress for securing an efficient cable between Batavia and Singapore.

It appears from official returns that 10,000 vessels, including repeated voyages, and a trade of 64,000,000 *l.* at the least, will annually make use of the line between India and China, and that a trade of 40,000,000 *l.*, in which 2,400 vessels are engaged, will annually make use of that between India and Australia. The trade, moreover, both with China and Australia, is rapidly on the increase, and a large and wealthy population in the latter country will send and receive numerous messages on private business. From these sources it is estimated that a minimum of 40,000 messages will be annually transmitted by the cable between India and China, and a similar number by that between India and Australia, principally on their way to and from Europe, being 55 messages per diem each way to and from China and Australia respectively.

The relative cost of the three sections will be as follows:—

	£.
Rangoon-Singapore	450,000
Singapore-Hong Kong	530,000
Java-Brisbane	1,100,000
Total £.	2,080,000
Singapore to Java (subsidy of 8,500 *l.* per annum given by Dutch Government)	170,000
Total £.	2,250,000

This capital includes a sufficient reserve fund, and will provide heavy cables, protected against corrosion by a hard bituminous outer covering. The cables will be capable of transmitting over 70,000 messages, of 20 words each, per annum, with the ordinary instruments now in use. For the India-Singapore section a larger core will be adopted, capable of transmitting 150,000 messages per annum. This number of messages could be doubled by adopting the latest improvements in instruments.

The negotiations between the promoters and the Australian Governments, in reference to the line between Java and Queensland, have been carried on as follows:—Mr. F. Gisborne proceeded to Australia in 1860, for the purpose of obtaining subsidies for that line. New South Wales voted a subsidy of 10,000 *l.* per annum, without requiring the Home Government to contribute. Victoria voted 13,000 *l.* a year, contingent upon the Home Government contributing something; and the Governments of Tasmania, New Zealand and Queensland promised proportionate contributions. Subsequently Victoria made an offer to the Home Government to provide half of the whole subsidy that might be required, if the Home Government would also provide half. It was understood at the time that Victoria would take Tasmania, South Australia and Western Australia as her co-contributors, leaving New South Wales, Queensland, and New Zealand as co-contributors with the Home Government, which would practically reduce the contribution of the Home Government to a trifling amount. The whole annual subsidy then asked for was 35,000 *l.* to raise a capital of 800,000 *l.* This was calculated to provide a cable similar to that then recently laid in the Red Sea, and between Batavia and Singapore. The outer iron covering of this cable, however, has since proved very much too light, and liable to corrosion. The greater part of the Red Sea cable was laid in deep water, where it was impossible to repair it. The failure of this and other deep sea cables made it impossible for some time to act upon the resolutions passed by the Australian Legislatures. The public did not at first discriminate between deep and shallow sea cables, but the obvious and continued success of the great majority of shallow sea lines, and especially of the long cable between Malta and Alexandria, has revived public confidence in those undertakings. It is now proposed to lay a cable three and a half times the weight of that laid in the Red Sea, and, moreover, protected against corrosion by a hard bituminous outer covering, which has been successfully applied to cables in the English and Irish Channels.

To lay this heavier cable, it will be necessary to increase the capital to 1,100,000 *l.* The subsidy would thus be raised to 50,000 *l.* per annum, on the basis already adopted in the resolutions passed by the Legislatures of New South Wales and Victoria, in 1860.

The subsidy is to run for 30 years. The promoters offer to transmit the messages of the Colonial and Home Governments without payment to the extent of the subsidy, and in case the Home Government does not contribute, to place the tariff value of their messages to the credit of the subsidy, so that the difference only should be paid by the Colonies. It is estimated that 40,000 additional messages will be brought annually upon the telegraphs in Australia by the subsidised line, which will be a considerable source of revenue towards paying the subsidy.

The promoters ask that Victoria and New South Wales shall render themselves liable to the Company for the whole subsidy. This liability will be equitably redistributed by means of an intercolonial agreement, basing the contribution of each Colony towards the whole subsidy on the use it shall make of the subsidised line. Thus, if Victoria sends and receives half of the whole number of messages transmitted through that line in any year, it would pay the half of the subsidy. The payment of the subsidy is to be contingent upon the successful working of the cable. Should the Government of Queensland extend its telegraphs to a point north of Brisbane, for instance, to Broad Sound, the Company's cable might be made to terminate at such point; but any such extension must be completed by the end of 1864, and will not diminish the number of stations or the total working expenses, though it will save 350 miles of sea line.

The cable between Java and Brisbane could be laid in about two years after the letting of the contract.

It is proposed to give the Colonies an efficient control over the tariff. Under existing arrangements no tariff can be established anywhere between Malta and Java, without the assent of the British Government.

As

As regards the contribution of the Home Government, it should be borne in mind that Her Majesty's Government has bound itself to complete the telegraph lines as far as Singapore, and will no doubt assist the telegraph to Australia, by lending ships to take additional soundings, and to pilot the cable expedition. It should also be remembered that only one-fifth of the line, the section, namely, between Java and Timor, is out of Australian waters.

London, July 1862.

Enclosure 2, in No. 35.

South Australia.

Chief Secretary's Office, Adelaide,
25 October 1862.

Sir,

I am directed by the Chief Secretary to acknowledge, in the name of his Excellency Sir Dominick Daly, the receipt of your letter, dated 15th July, and enclosures, addressed to his Excellency, on the subject of the projected Anglo-Australian and China telegraph, and to inform you that those documents have been laid before Parliament, without any action thereon being authorised by the Legislature.

In reference thereto, however, a report has been made by C. Todd, esq., superintendent of telegraphs of this province, a copy of which I enclose for your information; and I am to state that Mr. Todd's views meet generally with the concurrence of his Government.

I have, &c.
(signed) *J. Boothby*,
Pro Under Secretary.

F. Gisborne, Esq.
6, Duke-street, Adelphi, London.

South Australia.—Report on Ocean Telegraph Scheme.

Ordered by the House of Assembly to be printed, 14th October 1862.

Report of Superintendent of Telegraphs on the proposed Anglo-Australian and China Telegraph Scheme.

(Extract.)

Observatory and Telegraph Department, Adelaide,
8 October 1862.

I now come to the prospectus recently received.

The objects of the promoters are—

1. To lay a sub-marine cable to connect Singapore with the telegraph system of India at Rangoon, the present terminus of that system, over a distance of 1,090 sea miles, with intermediate stations at Amherst (Moulmein), King Island, and Penang.

2. To extend the cable from Singapore to Hong Kong (Canton), *viâ* Sarawak, Labuan, and Manila, a distance of 2,080 miles; or *viâ* the French settlement of Saigon, a distance of 1,678 miles.

3. To extend the Dutch lines which connect Singapore with Batavia and the east end of Java, from that point to the terminus of the telegraph system of Australia, which at present is at Brisbane, on the eastern coast, but which is likely to be soon carried further northward.

The third will be the Australian section. From Java to Brisbane, *viâ* Timor, is 3,024 miles.

So far as is known from soundings already made, the different cables would lie on a soft and uniform sea-bottom, not exceeding 50 fathoms in depth. The sections would be in good working length, over which from 15 to 20 words per minute could be easily transmitted.

As before explained, it is intended to lay a very superior cable to the one originally proposed, weighing 74 cwt. to the mile. This increases the cost from 800,000*l.* to 1,100,000*l.*

The relative cost of the three sections is estimated as follows:

	£.
Rangoon to Singapore	450,000
Singapore to Hong Kong	530,000
Java to Brisbane	1,100,000
Total £.	2,080,000

With regard to the first portion, the promoters have received an assurance of the work being either assisted or carried out by the Indian Government contemporaneously with the other sections.

To carry out the third division, the promoters now apply to the Australian Governments for a guaranteed subsidy of 50,000 *l.* per annum for 30 years, "on the basis already adopted in the resolution passed by the Legislatures of New South Wales and Victoria in 1860," except that instead of all profits in excess of 10 per cent. being appropriated towards the reduction of the subsidy, it is now stipulated "that in the event of the net profits of the Company exceeding in any year the rate of 15 per cent. per annum, whether derived from subsidy or other sources, such excess shall be rateably applied to reduce the respective contributions of the contracting Governments."

The reason for this is, the difficulty in inducing capitalists to embark in enterprises of this sort, where so much risk is incurred without the prospect of large profits being held out.

They offer, however, in return to transmit all messages on the service of the Colonial and Home Governments free to the extent of the subsidy; or should the latter not contribute, the charge made on their messages is to go to the credit of the subsidy, payable by the Colonies. This, I think, is very liberal. Should the Queensland lines be extended to Broad Sound, which is most probable, the cable would of course terminate there.

In a letter addressed to myself, a copy of which accompanies this report, Mr. Gisborne says the promoters would be prepared to meet the Australian lines at whatever point they might be brought to, provided they could be completed by the end of 1864. He expresses his doubts as to the practicability, or expediency, if practicable, of having long land lines traversing an unsettled country with a hostile or mischievous native population, and he urges the difficulty of maintaining such a line in good working order when completed. There is of course considerable force in the objections raised by Mr. Gisborne; but I must confess that, in my opinion, the way for a land line seems clearer now than it did even two years ago. The comparative ease with which Burke, Landsborough, and M'Kinlay have separately crossed to and from Carpentaria, and the encouraging descriptions given by those explorers of the country, all indicate the speedy occupation of the territory between Cooper's Creek and Carpentaria; and in South Australia we have already stations within a short distance of the former.

A land line offers so many collateral advantages besides its diminished cost, that I cannot forbear urging the desirableness before pledging ourselves to Mr. Gisborne's scheme in its entirety of immediate steps being taken to determine the feasibility of carrying the wire to the north coast.

The construction of a land line would appear to rest with South Australia or Queensland, according to the route selected. We have now a choice of four, viz.:—

1st. Port Augusta, by Stuart's route, to the Victoria River, Cambridge Gulf.

2d. Port Augusta, *viâ* Cooper's Creek, to Carpentaria, by Burke's or M'Kinlay's route, and thence to Port Essington or Cambridge Gulf.

3d. Port Augusta to King George's Sound, and Western Australia to the neighbourhood of Exmouth Bay.

4th. Moreton Bay to Port Essington or Cambridge Gulf.

With the 1st, 2d and 4th, the sub-marine line would be the same; with the 3d, it would have to be in one length to Java.

The cost of the land section would vary from 150,000 *l.* to 185,000 *l.*, and the submarine, taking the distance from the north coast to Cape Sedano, E. Java, at 940 knots, and allowing 60 knots of slack, or 1,000 knots of cable at 240 *l.*, including laying and using the same kind of main cable as that proposed, weighing 74 cwt. to the knot, with two shore ends of 50 knots each, weighing 154 cwt. to the knot, 240,000 *l.* The total cost, therefore, of a line by either of the 1st, 2d or 4th routes may be approximately estimated at 425,000 *l.* This would be exclusive of stations on the north coast, Coepang and Cape Sedano.

On the overland line it would be necessary to have stations every hundred miles or so, say 12 stations in all. At each station, beyond the settled districts, there should be a staff of four persons, one electrician, and three line men. I have before expressed an opinion that by attaching a run to each station, persons properly qualified might be induced to undertake the very light duties of the office at a reasonable rate of remuneration; and such a course would afford profitable employment to the assistants or line men. Failing that, however, I would estimate the cost of maintenance of the land section as follows:—

	£.
Twelve stations, salaries and maintenance - - - - -	12,000
Contingent expenditure - - - - - - - - -	5,000
Renewal fund - - - - - - - - - -	3,000
Total Annual Maintenance - - - £.	20,000

With regard to the submarine cable from the north coast of Java, I do not think it would be necessary to keep a steamer constantly in readiness to effect repairs. If the cable continued perfect, little or no expense would be incurred; but, on the other hand, any

№22. Ordered, by the House of Commons, to be printed, 8 Feb.ʸ 1864

any casualty occurring might involve a very large expenditure. I do not think that very probable, however. There would be three stations, with three officers at each. We may set down the annual cost of the stations, with maintenance, &c., at 5,000*l.*; to this should be added a renewal fund (nearly proportionate with that provided by the promoters of the Java-Brisbane scheme, viz. 12,000*l.*) of 3,000*l.*, making the total annual cost of maintenance of a line from Port Augusta to Java, 28,000*l.*

Mr. Gisborne's first estimate of the annual cost of maintenance of a line from Java to Brisbane was 18,283*l.* 7*s.* 6*d.* It is now increased to 50,500*l.*, including, however, a renewal fund of 12,000*l.* to be set apart annually.

It should be borne in mind that both of the foregoing estimates are but preliminary and rough approximations; they are both, in my opinion, considerably in excess of what the actual expenditure would be. I have very largely increased my estimate of the annual cost of the land line; but at first, extra precautions would have to be taken to secure the integrity of the line, and I do not wish to prejudice the public mind by under-estimating the cost of that route, and over-estimating that advocated by Mr. Gisborne. I wish to see the work commenced and successfully completed, and that plan adopted which, after due consideration, shall be thought best calculated to secure the object we mutually seek to accomplish.

If the land line is erected by South Australia or Queensland, I would suggest that each Colony should subsidize it, or supplement the net receipts, so as to provide six per cent. interest on the outlay, the contributions being apportioned according to the number of messages.

With regard to the cost of messages and the probable revenue, I am of opinion that the total through charge for a message of 20 words (including name and address) should not exceed 6*l.* or 7*l.* The rate, at present, from Jubal in the Red Sea to London is 3*l.* 5*s.* for 20 words. The Indian tariff to all stations, from Kurrachee to Rangoon, a distance of 2,700 miles, is 4*s.* The Red Sea and Mediterranean charges are at present very high, but may be regarded as more local than through rates. The increase of business which the completion of the India and Australia lines would bring, would no doubt enable the several Companies to effect considerable reductions. In Mr. Gisborne's letter to his Excellency the Governor in Chief (15th July 1862), the charge, on the first opening of the line, is limited to 2*s.* 6*d.* for every 100 miles; that, however, would be an exorbitant rate. It was formerly suggested that 30*s.* should be charged on the Java-Australian section, and that, I think, would be reasonable. In the prospectus, the number of messages is estimated at 40,000, based on the amount of shipping and the number of mercantile firms in the Australian trade. Suppose we say 30,000 messages, that would produce a revenue of 45,000*l.*, and leave a profit of 17,000*l.* in the one case, and about covering the working cost in the other.

In a work of such magnitude, nothing can be done without the united action of the Colonies concerned; and, as the best means of securing this, I would recommend that a conference should be held between the heads of the telegraph departments in Victoria, New South Wales, Queensland, and South Australia, who, being practically acquainted with all the details, would be best able to consider the whole question, and give the results of their meeting in a joint report to their respective Governments.

I have, &c.
(signed) *Charles Todd,*
Observer and Superintendent of Telegraphs, S. A.

The Honourable the Commissioner
of Public Works.

Enclosure 3, in No. 35.

Anglo-Australian and China Telegraph.

First Section from India (Rangoon) to Singapore.

Proposition of the Promoters, to Her Majesty's Government in India, to lay a Cable between Rangoon and Singapore, referred to in Mr. *F. Gisborne*'s Letter to the Secretary of State for India, dated 21 January 1863.

Conditions.

1st. That the promoters of the "Anglo-Australian and China Telegraph" shall constitute themselves into a Company, and lay a cable between Rangoon and Singapore, with two intermediate stations, to be agreed upon between the Company and Her Majesty's Government, over a distance of about 1,200 nautical miles, and at a cost not exceeding 450,000*l.* The cable is to be approved of by Her Majesty's Government, who are to appoint an official director to superintend its manufacture and laying, and generally to control the proceedings of the Company.

2d. Her Majesty's Government in India or at Home are to pay the Company a subsidy of five per cent. per annum on the paid-up capital of the Company, for a term of 30 years from the completion and during the working of the cable; such subsidy shall not exceed 22,500*l.* per annum.

3d. The first payment on account of subsidy is to be made six months after telegraphic communication shall have been opened between Rangoon and Singapore.

4th. Thirty days per annum are to be allowed for executing repairs, and a rateable proportion of the subsidy is to be deducted for every day beyond the said 30 days that telegraphic communication shall be interrupted between Rangoon and Singapore.

5th. The cable shall be laid within two years from the date of the agreement granting the subsidy.

6th. All State messages of Her Majesty's Government in India and at Home are to have priority of transmission over private messages, and are to be transmitted gratuitously between Rangoon and Singapore, to the full extent of the subsidy in each year, calculated at the tariff rates, but such messages as are not covered by the subsidy are to be paid for.

7th. The tariff of all State and private messages is to be fixed and regulated by Her Majesty's Government, in conjunction with the Company, and is not to exceed 2*s.* 6*d.* for every 100 nautical miles, or any portion of such distance, in respect of messages containing altogether 20 words.

8th. All excess of net profits over 15 per cent., whether derived from subsidy or other sources, after payment of all working and maintenance expenses, and of a sufficient sum towards a renewal fund, shall be applied to reimburse Her Majesty's Government any sums on account of subsidy.

9th. Her Majesty's Government shall have the right to purchase the line, including any accumulated renewal fund, and generally all the property of the line, for a sum equivalent to 30 years' purchase of the average net revenue of the line, for the three years immediately preceding the purchase, whether such revenue has been derived from subsidy, or other sources, and after payment of all working and maintenance expenses, and of the sums appropriated to the renewal fund.

The Company shall not, however, be compelled to sell the line for less than its actual cost, plus 20 per cent. No purchase is to take effect for three years after the completion of the line, and Her Majesty's Government are to give one year's notice of their intention to purchase.

(signed) *F. Gisborne.*

6, Duke-street, Adelphi,
21 January 1863.

— No. 36 —

The Under Secretary of State for India to Mr. *F. Gisborne.*

Sir, India Office, 6 February 1863.

I AM directed by the Secretary of State for India to acknowledge the receipt of your letter of the 21st ultimo, and to acquaint you, in reply, that he cannot entertain the application therewith submitted, for a subvention to a Company undertaking to lay down a telegraphic cable between Rangoon and Singapore; and again to refer you to my letter of the 29th August last.

I am, &c.
(signed) *Herman Merivale.*

F. Gisborne, Esq.,
6, Duke-street, Adelphi.

TELEGRAPHS
(INDIA, SINGAPORE, AND AUSTRALIA).

COPY of CORRESPONDENCE and PAPERS relating to the Establishment of TELEGRAPHIC COMMUNICATION between *India*, *Singapore*, and *Australia*, since the 5th July 1860 (in continuation of Papers printed in the Appendix to the Third Report from the Select Committee on Packet and Telegraphic Contracts).

(*Mr. Crawford.*)

Ordered, by The House of Commons, *to be Printed*,
8 *February* 1864.

[*Price* 2*s.* 6*d.*]

Under 12 *oz.*

RETURN to an Address of the Honourable The House of Commons dated 28 April 1864;—*for*,

"COPY of CORRESPONDENCE and PAPERS relating to the Establishment of TELEGRAPHIC COMMUNICATION between *India*, *Singapore*, *China*, and *Australia* since the 6th day of February 1863 (in continuation of the Papers communicated last Session)."

India Office,
23 May 1864.

W. T. THORNTON,
Secretary, Public Works Department.

(*Mr Marsh.*)

Ordered, by The House of Commons, *to be Printed*,
13 *June* 1864.

COPY of CORRESPONDENCE and PAPERS relating to the Establishment of TELEGRAPHIC COMMUNICATION between *India, Singapore, China,* and *Australia* since the 6th day of February 1863 (in continuation of the Papers communicated last Session).

— No. 1. —

Sir *Charles Bright* to the Chancellor of the Exchequer.

1, Victoria Street, Westminster, S.W.,
27 February 1863.

Sir,

UNDERSTANDING that you are about to receive a deputation of gentlemen interested in encouraging the extension of Telegraphic Communication to Australia, I have the honour to inform you that I am at present concerned with other gentlemen in maturing arrangements for the accomplishment of that object, and that it is their intention shortly to submit definite plans for the approval of Her Majesty's Government.

I have, &c.
(signed) *Charles T. Bright.*

The Right Hon. W. E. Gladstone, M.P.,
&c. &c. &c.

— No. 2. —

Sir *Charles Nicholson* to the Chancellor of the Exchequer.

5, Cleveland Row, St. James's, S.W.,
6 March 1863.

Sir,

THE Deputation connected with the Anglo-Australian and China Telegraph, which had the honour of waiting upon you, on the 27th ultimo, with the special object of ascertaining whether Her Majesty's Government would co-operate with the several Australian Governments in carrying out the Java-Queensland Section as part of the line between India and Australia, were invited by you to state in writing the result of previous negotiations upon this subject, and the amount and nature of the assistance which Her Majesty's Government was expected to give.

I have, therefore, the honour to recapitulate that, as regards the first section of this telegraphic system, viz., the line between Rangoon and Singapore, the promoters have been informed by the Secretary of State for India that he cannot entertain any proposition for its execution until the Treasury shall assist in carrying out the extension to Australia.

The next link in the chain, viz., the line between Singapore and Java, has lately been subsidized by the Netherlands Government; but it is a condition that it shall only be carried out contemporaneously with the Rangoon-Singapore Telegraph.

As regards the last section, that, namely, between Java and Queensland, action was taken upon it in 1860 by the Colonial Governments, as follows:—

The Legislature of New South Wales authorised its Government to subsidize the line to the extent of 9,625 *l.* per annum.

The Legislature of Victoria gave a similar authorization to the extent of 13,000 *l.* per annum, and all the other Colonial Governments, except that of South Australia, promised proportionate contributions.

To the contributions of Victoria was annexed a condition that the Home Government should contribute something. The Victorian Government then offered to find half of the whole annual subsidy that might be required, provided Her Majesty's Government found the other moiety.

It would appear from a minute of the Postmaster-General of Victoria, dated 10th day of June 1860, that the Government of Victoria contemplated reducing its quota by the contributions of South Australia, Tasmania, and Western Australia, which would leave the contribution of the Home Government to be reduced by the contributions of New South Wales (which had not required the co-operation of the Home Government), Queensland, and New Zealand.

The Government of South Australia refused to contribute, because it wanted the terminus of the sea line to be fixed at Cambridge Gulf, on the northern coast of Australia, instead of in Queensland.

Practically, however, the contribution of the Home Government was thus reduced to one-fifth of the whole subsidy.

The failure of the Red Sea Line prevented any further action being taken about these subsidies, but on the 15th of last July the promoters again applied to the Governments of Australia to revive them.

The Government of Queensland has since then expressed its willingness to contribute, and that of South Australia now views the proposition favourably.

It is confidently expected that the next few mails will bring favourable answers from the other colonies, and that the whole assistance required of them will be granted.

The length of the submarine line from the east point of Java to the south-eastern point of Gulf Carpentaria will be 1830 nautical miles; from that point the Queensland Government will undertake the land line to Brisbane.

It would appear from the Admiralty charts that the cable can be laid in a depth of about 50 fathoms for nearly the whole distance.

The estimated capital required to lay the submarine line is 710,000 *l.*, and the Colonies are expected to pay an annual subsidy of 5 per cent. upon four-fifths of that sum, or 28,400 *l.* per annum for 30 years from the completion and during the working of the cable, in return for the gratuitous transmission of State messages to that extent in each year, and with the right of fixing the tariff of State and private messages in conjunction with the Company, which amounts to a veto subject to arbitration.

As regards the remaining fifth of the capital, which Her Majesty's Government have been asked to deal with, the promoters originally proposed that Her Majesty's Government should grant a subsidy of 5 per cent. per annum upon such fifth (say 7,100 *l.* per annum) upon the same conditions, *mutatis mutandis*, as the Colonial subsidies depend upon.

The result of the interview has, however, left an impression on the minds of the promoters that Her Majesty's Government are indisposed to meet that proposal, but might not be unwilling to subscribe a portion of the capital above-mentioned.

The promoters would regard such an arrangement as equally calculated to further their views.

They, therefore, submit to Her Majesty's Government their readiness to give effect to the undertaking, provided the latter shall see fit to subscribe a sum equal to one-fifth of the capital above-mentioned; Her Majesty's Government receiving a proportionate share of the profits of the undertaking, but not participating in the Colonial subsidies, the sole object of which is to enable the remainder of the capital to be raised. Should the late rapid rise in the price of gutta-percha be maintained, the cost of the cable may have to be increased by some 20,000 *l.*

The reasons which exist for asking Her Majesty's Government to contribute to the Java-Queensland Telegraph, some of which may be termed inducements, are shortly as follows:—

1st. Victoria made such a contribution a condition to granting its proportion of the subsidy.

2d. The Secretary of State for India has made the same condition to aiding or constructing the Rangoon-Singapore Telegraph, which is necessarily the first section of the proposed telegraphic system.

3d. The

3d. The Australian Governments will require the assistance of Her Majesty's Government, which cannot be of any value without responsibility in making the preliminary arrangements, and during the progress of the work.

4th. Her Majesty's Government will, by taking a share in the undertaking, acquire a right of control, which will be of the greatest importance in all questions affecting the political interests of the empire in the southern and eastern hemispheres.

In the event of Her Majesty's Government subscribing a portion of the capital (say one-fifth of the whole), it would be conceded that they should appoint one-fifth of the Directors. And, as a protection to public interests, there would be no objection to giving them extraordinary powers in time of war, as well as a veto upon the tariff of State and private messages, subject to arbitration in conjunction with the other contributing Governments. Nor would there be any objection to giving the contributing Governments a compulsory power of purchasing the line at, say, 30 years' purchase of the net average receipts for the three years immediately preceding the purchase.

It is as unnecessary to dwell upon as it is impossible to exaggerate the importance of this great undertaking, which, I venture to believe, will meet with your entire sympathy.

A submarine line of telegraph, extending between India, China, and Australia, would give the British Government the practical control and command, at all times, of all the telegraphic communications between the French, Dutch, and Spanish settlements of the East with the respective States to which they belong in Europe.

The promoters will feel greatly indebted if you will give the present application your early consideration, as the negotiations with the various Governments concerned cannot be matured until Her Majesty's Government have signified the extent of their co-operation.

Should that decision be favourable to the views of the promoters, they will register themselves as a Company, under the "Companies' Act, 1862," in the expectation that the pending arrangements with the other Governments will then be brought to a speedy and successful termination; upon the attainment of which result, they will be prepared to carry out contemporaneously the various sections of the India-Australia Telegraph.

I have, &c.
(signed) *Charles Nicholson.*

The Right Hon.
W. E. Gladstone, M. P.,
Chancellor of the Exchequer,
&c. &c. &c.

— No. 3. —

The Secretary of the Treasury to Sir *Charles Nicholson.*

Treasury Chambers,
19 March 1863.

Sir,

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter of the 6th instant, with reference to the proposed Anglo-Australian and China Telegraph; and I am to state that my Lords will lose no time in dealing with the subject so soon as they have received another communication on the same subject, the immediate or very early arrival of which, they are given to understand, may be expected.

I am, &c.
(signed) *F. Peel.*

Sir Charles Nicholson, Bart.,
5, Cleveland Row.

— No. 4.—

Sir *Frederic Rogers* to Mr. *G. A. Hamilton.*

Sir, Downing-street, 16 March 1863.

With reference to previous correspondence on this subject, I am directed by the Duke of Newcastle to transmit to you, to be laid before the Lords Commissioners of the Treasury, copies of two letters from Mr. Walters, the Agent for South Australia, respecting the establishment of telegraphic communication with the Continent of Australia.

24th February.
26th February.

I am, &c.
(signed) *Frederic Rogers.*

G. A. Hamilton, Esq.,
&c. &c. &c.

Enclosure 1, in No. 4.

Mr. *Walters* to His Grace the Duke of *Newcastle*, K. G.

Office of Agent General for South Australia,
5, Copthall-court, London, E. C.,
24 February 1863.

My Lord,

I have understood that application is likely to be made to Her Majesty's Government to give a guarantee for a telegraph cable to be laid down from East Java to Queensland.

In consequence of the recent explorations to the north coast of the Australian continent by South Australian explorers, the views of the Government and people of South Australia appear to be already extending themselves across the continent, as will be better shown by the copy of a letter from the Treasury at Adelaide, addressed to me under date 26th December 1862, which I have now the honour to enclose for your Grace's perusal.

I infer from this Despatch that the Local Government of South Australia is not prepared to subscribe to any plan to be submitted to Her Majesty's Government through Queensland, if any such should be offered, inasmuch as the expense of communication would be immensely reduced by a simple overland telegraph wire across the continent, to meet a much shorter cable-wire at the point most convenient or contiguous to Java.

Inquiries are already set in movement by the telegraph authorities at Adelaide with reference to iron pillars for supporting the wire *en route*, from which, I apprehend, they consider that any difficulties which might be supposed to arise from any of the aborigines, if such there be, could be easily overcome.

I thus place the matter, so far as it happens to have come to my knowledge, under your Grace's view, in case it should form an interesting element of consideration.

I may also add, that I do not think Her Majesty's Government of South Australia will allow themselves to be drawn into any unnecessary extravagant expenditure for the benefit of speculators.

If I err in addressing your Grace, I have no doubt you will pardon me.

I have, &c.
(signed) *G. S. Walters,*
Agent General for South Australia.

His Grace the Duke of Newcastle, K. G.,
&c. &c. &c.

Mr. *Blyth* to Mr. *Walters.*

South Australia, Treasury Offices, Adelaide,
26 December 1863.

Sir,

I have the pleasure to announce that Mr. John M'Dowall Stuart has recently returned to Adelaide from his third attempt to reach the Indian Ocean overland, a feat at last happily accomplished at a point a little to the eastward of Cape Hotham, in Van Diemen's Gulf.

A copy of his journal, and map describing his course of travel to and from the northern coast of this continent, are posted to you herewith; and you will be gratified to learn that the northern region passed through by Mr. Stuart is eminently adapted for settlement, and that efforts will be made to secure its addition to South (or more properly Central) Australia.

Under

Under any circumstances, Van Diemen's Gulf will doubtless prove an important outlet for disposing of the surplus stock of this province in the Indian and Chinese markets. Perhaps, too, the telegraph wire may connect Adelaide with Europe and Asia, at no very distant day, by Mr. Stuart's route.

I have, &c.
(signed) *Arthur Blyth*,
Treasury.

G. S. Walters, Esq.,
South Australian Agent General, London.

Enclosure 2, in No. 4.

Mr. *Walters* to His Grace the Duke of *Newcastle*, K.G.

Office of Agent General for South Australia,
5, Copthall Court, London, E. C.,
26 February 1863.

My Lord,

I HAD the honour of addressing your Grace on the 24th instant, on the subject of the scheme of laying down the telegraph wire to the Australasian Colonies, which I understand is to be propounded to the Treasury.

Since then I have made some hasty inquiries, and the result, which at present is somewhat crude, is embodied in the enclosed letter from a practical telegraphist, Mr. Passmore, to myself.

Her Majesty's Government will, I doubt not, open the line to public competition; and it is to be hoped that the Dutch Government will not mar such a proceeding by granting to any person the exclusive permission to land submarine cables in their island.

I have no desire to appear further in this matter, or to trouble your Grace upon it.

I have, &c.
(signed) *G. S. Walters*,
Agent General.

To His Grace the Duke of Newcastle, K. G.,
&c. &c. &c.

Mr. *Passmore* to Mr. *Walters*.

90, Cannon-street, London,
26 February 1863.

Dear Sir,

WITH reference to our conversation of this morning, I think it is highly important that the Government should well consider the various routes before committing itself to any scheme for telegraphic communication with the Australian Colonies.

Mr. Gisborne's scheme is for a submarine line from East Java to Moreton Bay, a distance of 3,024 knots, at an estimated outlay of 1,000,000*l.*

Since that scheme was originated, Mr. Stuart has crossed the continent three times, planting a flag on the north coast, near Cambridge Gulf, and he reports most favourably of the major part of the country, which he has now traversed three years consecutively.

The country is being speedily occupied, and everything tends to prove the practicability of a land line across the continent, with a submarine line to East Java.

What I suggest as a proposal to be made (without going into detail) would stand thus; viz.:—

	Miles.
Submarine cable from North Coast to East Java - - -	940
Land section - - - - - - - - - - -	1,480
TOTAL - - -	2,420

A report and estimate of the cost of this cable and land line has been prepared, and it may be relied on, I think, that it could be completed for under 500,000 *l*,, or for one-half the cost of Mr. Gisborne's scheme, with a saving of 1,000 miles in the length of sea line.

It should be suggested to the Dutch Government to grant no exclusive concession for the landing of cables in the Island of Java.

I am, &c.
(signed) *Wm. B. Passmore.*

P. S.—If Mr. Gisborne alters his plan, and proposes to carry his submarine cable from East Java to the Gulf of Carpentaria, only being a distance of 1,855 miles, at the diminished cost of 710,000*l.*, then I would suggest, as against this proposal, that the cable be carried to a nearer point on the North Coast, distance only 940 miles, and at a cost of 235,000*l.*; thus saving 915 miles of sea line, and 475,000*l.* of money.

— No. 5. —

Mr. *Passmore* to the Chancellor of the Exchequer.

90, Cannon-street, E. C.,
24 March 1863.

Sir,

With reference to the Indo-Australian Telegraph from East Java to the Australian Continent, upon which subject a number of gentlemen connected with the Colonies lately had the honour of an interview with you, I beg permission to enclose you an official correspondence with the Agent General of South Australia.

I am ready to undertake a contract to lay down the cable from East Java to Timor, and thence to the nearest convenient point on the northern coast of Australia, and also to erect a land line from this point to a point to be determined, not to exceed 1,100 miles, for the sum stated in the correspondence, namely, 412,000 *l.* : should the land line to be determined extend beyond 1,100 miles, the same to be paid for at the same rate.

The terms and conditions of the contract can be made to the satisfaction of Her Majesty's Government.

I have, &c.
(signed) *Wm. B. Passmore.*

To the Right Honourable the
Chancellor of the Exchequer,
&c. &c. &c.

Enclosure in No. 5.

Copies of Correspondence.

To *G. S. Walters*, Esq., Agent General for South Australia, London.

90, Cannon-street, E. C.,
14 March 1863.

Dear Sir,

Following my letter of the 26th February last, I beg to address you again with respect to the relative merits of the Indo-Australian Overland and Sea Lines, because I think it is of the greatest importance that the various Colonial Governments should well consider the question in all its bearings before they commit themselves to the adoption of any scheme that may be submitted to them.

Many schemes have been propounded: amongst others, Mr. Gisborne proposes to lay submarine cables from East Java, round the coast, to Moreton Bay, as follows, viz. :—

	Knots.
Banjoewangi to Coepang (Timor)	590
Coepang to Port Essington	525
Port Essington to Cape York	635
Cape York to Cleveland Bay	619
Cleveland Bay to Moreton Bay	655
Total	3,024 knots.

At an estimated cost of 1,100,000 *l.*

What the probable maintenance cost of this line may be, it is impossible to estimate; I observe it is put at 18,000 *l.*; but should it be found necessary at any time to lift the cables for repairs, cutting out damages, and splicing in new lengths, this amount would probably be doubled: at any rate, there is so much risk attached to the maintenance of cable along shore, that I do not think any reliable estimate can be formed.

When Mr. Gisborne's scheme was proposed in 1859, no information whatever was possessed regarding the interior of the continent of Australasia: it was at that time vaguely considered that the country consisted of either bog or desert, that it was unfit for settlement, and that there was no possibility of establishing a road across to the north coast: it followed, therefore, as the necessity for communication with England by the electric wire was more and more felt, that a much larger amount of attention was bestowed upon that circuitous route than its merits deserve.

Since then, the valuable information communicated by Dr. Mueller, by Mr. Stuart, and others, proves beyond a doubt the practicability of carrying an overland line across the continent. The country is mainly pastoral, and from data which can, I think, be relied on, the cost of maintenance of such line would not be great, as the stations could be located in the vicinity of cattle-runs, thereby encouraging persons of intelligence to locate themselves as inspectors of the line.

From

From Mr. Stuart's paper, which was read at the Royal Geographical Society on Monday evening, it appears a portion of the country will be speedily occupied, the major part being rich and adapted for the carrying of flocks; and from the important advices just received by the present mail it appears that the country in Mr. Stuart's track is already being followed up with sheep and cattle, and occupied.

There cannot be a doubt that land lines are much to be preferred to sea lines, even should the mileage be somewhat extended; but in this case the total mileage is not extended, for the overland route hereafter pointed out is by far the shortest and most direct,—saving in fact 1,000 miles of the total length of wire, besides substituting land communication in lieu of 2,000 miles of sea line.

In this case there will also be the important additional advantage, that the erection of the telegraph overland will greatly stimulate the occupation of the country; and it is the opinion of authorities at Sydney, Melbourne and Adelaide, that small settlements along the line would be speedily formed, as is in effect taking place, and that by degrees the settlers would advance from station to station, until the whole line be occupied, and thus a good outlet opened up for the produce of the Colonies to the Indian and Chinese markets.

A most important feature in favour of the overland route must not be lost sight of; namely, that the messages could be transmitted across the continent at a much greater rate of speed than through the sea line; the messages being sent entirely across the continent without any break, whilst the cable would have to be divided into sections, and it would be necessary to receive and re-transmit each message at the end of each section.

I consider the overland main line should be carried, as far as is practicable, through the centre of the continent to a point which may be decided upon, where the systems of the respective colonies could be connected up to it: thus giving equal facilities to all the inhabitants of the eastern, western, and southern parts of the vast continent, as well as to those of the future northern settlements.

The saving in money would be enormously in favour of this route, as against Mr. Gisborne's scheme, as will be seen by the following figures, viz. :—

Submarine, from East Java to Timor - - -	590	miles.
Ditto, from Timor to nearest landing-place on north coast of Australia - - - - - - -	350	„
	940	„
At, say, 250 *l.* per mile - - - - - -	£. 237,000	
Land section, say, 1,100 miles from the landing on the coast to the before-named central point, not exceeding	175,000	
	£. 412,000	

Or 680,000 *l.* less than Mr. Gisborne requires for the cable to Moreton Bay. This should be well considered by the guardians of the people's purse.

It is estimated that the maintenance of the land section would be as follows:—say, a station, on an average, every 100 miles, with one assistant, and, in some cases, two assistants at each. Taking the annual expense of each station at 800 *l.* (a very outside estimate), × 12 gives 9,600 *l.* per annum.

Mr. Gisborne has now, I believe, proposed a second plan, namely, to carry his cable from East Java to the Gulf of Carpentaria, with a land line to Moreton Bay.

By this altered proposal the length of the cable would be reduced to about 1,855 miles, and incur a land section of about 1,100 miles.

The cable thus reduced he reduces in cost to - - -	£. 710,000
But a land section from Gulf of Carpentaria to Moreton Bay would be necessitated, and this, say 1,100 miles, at my estimate, as before - - - - - -	175,000
	£. 885,000

Or 473,000 *l.* more than the proposed direct overland route through Central Australia.

The maintenance of the cable in this case I cannot estimate reliably, whilst the land section would cost 9,600 *l.*, as estimated above.

Mr. Gisborne apparently proposes to secure a monopoly of communication with Australia for 30 years; this, in view of the extraordinary development of the Colonies, is out of the question, for, judging from experience already derived, I am convinced that a single line will be found totally inadequate for the transmission of the messages. This view, I am glad to see, is entertained by the Home Government, as I find Lord Carnarvon, in his Despatch of the 2d of May 1859, distinctly states that Her Majesty's Government had decided to grant "no more exclusive privileges."

Finally, I submit that the time has now arrived for strongly recommending to the consideration of the Governments concerned the carrying out of the proposed land route across the continent to the point they may determine, as before suggested, which, I entertain no doubt, could be completed for the amount I have stated; thus opening up a route for the carriage of the produce of the country to the Indian Ocean, and greatly facilitating the settlement of the districts through which the line may pass.

In confirmation of my view, I may add that the superintendent of telegraphs at Melbourne, in reporting to his Government on the possibility of erecting a line to Port Essington, or some other point on the north coast, expresses an opinion, "that the successful issue of such an undertaking would be productive of incalculable good to the country, as, in fact, practically securing the speedy settlement of that portion of Australia, and affording a new field for the untiring enterprise and perseverance of the British colonist." The Superintendent of the South Australian system has also most strongly pointed out the practicability of the route proposed, and as being, undoubtedly, to the benefit of the whole of the Colonies.

I am, &c.
(signed) *Wm. B. Passmore.*

From *G. S. Walters*, Esq., Agent General of South Australia, to *Cromwell F. Varley*, Esq., Electrician and Engineer of the Electric and International Telegraph Company.

Dear Sir, London, 16 March 1863.

WOULD you have the goodness to run your eye over the letter from Mr. Passmore to me, of which I want to take printed copies for distribution in the Colonies, &c.

If you approve of it, would you have any objection to append a few lines, stating your general approval, with any remarks you might think proper to add.

Believe me, &c.
(signed) *G. S. Walters,*
Agent General for South Australia.

To *G. S. Walters*, Esq., Agent General for South Australia.

Dear Sir, Kentish Town, 17 March 1863.

IN answer to your favour of the 16th, containing a letter from Mr. Passmore, respecting the proposed telegraph from India to Australia, &c., I quite agree with his recommendation of a land line across the continent, in preference to a series of submarine cables around the coast, and for the following reasons:—

1. The first cost of a land line is very much less.

2. The maintenance is much more facile and inexpensive.

3. Land lines, being comparatively free from the effects of induction, are manipulated with greater ease and expedition, and fewer errors creep into the Despatches during transmission in consequence.

4. The various sections of land line can be united together by translating instruments, so as to afford direct communication over distances of even 2,000 and 3,000 miles at a good commercial speed. We often work from London to Petersburg direct, at a rate of eight to twelve words a minute.

5. Submarine circuits, owing to the retarding action of induction, cannot be so united, without too great a loss of speed, unless the core of the cable be extravagantly large.

It may be doubted whether an aerial line can be constructed and maintained across the comparatively wild country of Central Australia. This most important question has been solved in America between New York and San Francisco, a distance embracing more than three hours of longitude. This line of telegraph is entirely overground, and "crosses the snow-covered Sierra Nevada and Rocky Mountains, passing through deserts, and over 1,500 miles of country inhabited by savage tribes; the stations are from 30 to 75 miles apart." This line has been in operation for the last 16 months with scarcely any interruption.

Mr. Gisborne estimates the annual cost of maintaining his submarine line and stations at 18,000 *l.* This amount cannot include any subscription to a renewal fund, which should not be less than 80,000 *l.* per annum for a line costing 1,100,000 *l.* The soundings seem too imperfect for the purpose of submarine telegraphy in this part of the world. This should receive the immediate attention of Government; the more especially as the numerous rocks and islands between Torres Straits and Moreton Bay seem to indicate "rough bottom." This is an additional reason for erecting the telegraph overland.

It

It is my firm conviction, that as soon as one line is established many will follow, for it is obvious that one circuit will be insufficient for the demands of the country. From the perusal of Stuart's Journal, the interior of Australia seems particularly well adapted for aerial telegraphs, and I would strongly recommend the less costly, shorter, and more expeditious overland route, to the coasting cables proposed prior to Stuart's discoveries.

I am, &c.
(signed) *Cromwell F. Varley.*

— No. 6. —

Sir *Frederic Rogers* to Mr. *G. A. Hamilton.*

Sir, Downing Street, 4 April 1863.

With reference to my letter of the 16th ultimo, I am directed by the Duke of Newcastle to transmit to you, to be laid before the Lords Commissioners of the Treasury, copies of two further letters from Mr. Walters, on the subject of telegraphic communication with Australia. 19th March. 26th March.

I am, &c.
(signed) *Frederic Rogers.*

G. A. Hamilton, Esq.
&c. &c. &c.

Enclosure 1, in No. 6.

Mr. *Walters* to Sir *F. Rogers.*

Office of Agent General for South Australia,
5, Copthall Court, London, E.C.,
19 March 1863.

Sir,

I have the honour to acknowledge your letter of the 16th instant.

The kind expressions of his Grace the Duke of Newcastle embolden me to bring to a conclusion what I am desirous of saying, with respect to telegraph communication with the Australian Colonies, after having made further inquiry.

1. Let me restate that I was impelled to address his Grace from the urgency of the moment, as I perceived that a number of respected colonists had consented to accompany Mr. Gisborne to the Chancellor of the Exchequer; the object of Mr. Gisborne being, as I believed, to promote one or other of his two schemes, both of which appeared to me most undesirable in the interests of Her Majesty's Government, and of every one of the Colonies.

2. And for the following reasons:—That in the first scheme of about 3,000* miles (nautical), to cost about a million sterling, no less than 2,000 miles might be saved. *Without land line.

That in the second scheme of about 2,000† nautical miles of cable, to cost about 710,000*l.*, 1,000 miles might be saved. †Plus land line.

That on the calculated price of about 380*l.* per nautical mile, about 150*l.*, more or less, might be saved.

That the amount of saving in both cases might reach an enormous sum, say almost half a million in round numbers, in either case, if the alternative were adopted of landing the cable at the nearest point from Timor, and carrying thence a land line to about the same latitude as Moreton Bay.

3. This prospect appeared to me to require a pause in the proceedings, since assuredly it would be the interest of Her Majesty's Government, and of all the Colonies, to direct an investigation to be made by competent persons. On public grounds alone, and in the urgency of the moment, I deemed it my duty to address the Duke.

4. It is reported that at the interview with Mr. Gisborne, and the gentlemen who accompanied him, the Chancellor of the Exchequer hinted that the payment of money for the cable, in lieu of guaranteeing interest, might be a preferable course. If so, and the Colonies adopt the same view, I am firmly persuaded, bearing in recollection the unfortunate results of the Red Sea cable, that such in effect would be the right course and the most economical, for the contract could then be made direct with responsible manufacturers upon the true and equitable footing, and save the absorption by any intermediate persons of so large a sum as 150*l.* (more or less) per nautical mile, in the price of the cable.

5. As the result of my further inquiry, I beg permission to enclose copies of a more complete letter from Mr. Passmore, the telegraph contractor, and of an additional letter

from Mr. C. F. Varley, the engineer and electrician, whose authority as a man of great practical experience, and of high scientific standing in the electrical world, is sufficiently notorious.

The character of both gentlemen for integrity and honour is of no slight moment; in considering their evidence, Mr. Varley has under his charge the whole of the electric and internautical system, comprising some 35,000 miles of land wire, and 1,800 miles of sea cable wire, all working in perfect order, with hundred of thousand of messages. These copies I have had printed for transmission to the Colonies.

6. In connexion with the feasibility of land wire across the Australasian continent, and the truthfulness of the descriptions of Stuart, the South Australian explorer, and his well known companions, I may refer to the annexed extracts of private letters by the mail just arrived, showing the confidence of the South Australian colonists in both; and "that they know not only how to discover, but how to occupy," as their journals say.

The colonists of South Australia are losing no time in sending sheep and cattle upon Stuart's route, and even are agitating the propriety of sending a superintendent and staff to the northern seaboard for the maintenance of order.

7. Perhaps it might be suggested that the time is arrived, or nearly so, when all the Australasian Colonies should depute, say the chiefs of their respective telegraph systems, to form a congress and determine—

(*a*) The best point in the northern coast for laying the cable.

(*b*) The most convenient point for all, to which the land line should be directed from the coast, so as to enable each Colony to derive from this latter land line point the communications for each Colony.

(*c*) The best mode of purchasing the cable, &c., &c., and maintenance, &c.

(*d*) The divisions of coasts (including New Zealand, Tasmania, and Western Australia).

8. When this has all been settled, then the approbation and co-operation of Her Majesty's Imperial Government might be solicited.

Finally,—in all that I have stated, I hope not to be misunderstood (whatever my own convictions may be), as being desirous of excluding any schemes from due consideration, as I frankly confess, what indeed must be very evident, that I am a very incompetent person to offer any technical opinion, although it may be said in illustration, that it is not necessary to be an astronomer to be able to see the moon.

All that I desire to submit in opposition possibly to my fellow-colonists before alluded to is, that before any hasty decision is taken on the subject, competent persons in the Colonies and at home should well weigh and investigate it, and recommend the course that may be best and most economical for all interests, and to this purpose I have endeavoured to show cause.

I have, &c.
(signed) *G. S. Walters*,
Agent General for Her Majesty's Province
of South Australia.

Monday, 26 *January* 1863.

ANGLO-AUSTRALIAN TOPICS.—OVERLAND TELEGRAPH.

FROM late newspaper files we learn that the Netherlands Government entered into a contract with the promoters of the Anglo-Australian and China Telegraph, on the 19th of September last, engaging to pay them an annual subsidy of 8,500*l.* as soon as they have laid a new cable between Batavia and Singapore. The conditions of this contract are the same as those which were proposed for the laying of the telegraph cable between Java and Queensland, the subsidy being at the rate of 5 per cent. on the estimated cost of 170,000*l.* The contract is to run for 30 years, and the payment of the subsidy is to be contingent upon the successful working of the cable, except during 30 days in each year, which are allowed for effecting repairs. The other conditions are as follow:—State messages to be sent free, and to have priority over other messages; the tariff between Singapore and the east end of Java to be settled by the Government in conjunction with the Company; the excess of net revenue over 15 per cent. to belong to the Government; the Government to be represented at the Company's Board. It is further stated that this Singapore-Batavia cable is "to be laid contemporaneously with the laying of the India-Singapore and Java-Queensland telegraphs."

From this last statement, which is given on the authority of Mr. Gisborne himself, it appears to be regarded, as a matter of course, that whenever the telegraph system of these Colonies is extended to India, it must be by way of Queensland. But we do not believe that the promoters of the line will be so favourable to that route when they learn the result of Mr. Stuart's last expedition. At the time the question was discussed in these Colonies several years ago, the continent had not been crossed, and it would, therefore, have been premature to consider any scheme of establishing an overland telegraph. But the case is different now. A practicable route has been opened direct from the northern

boundary

boundary of this colony to the coast opposite Melville Island. Thus all the disadvantages of having a submarine line for any portion of the Australian telegraph may be avoided, and the Indian Ocean may be reached by the construction of works no more expensive than the posts and wires which are erected within the colonies.

We think this is a matter which ought to be brought, as early as possible, under the notice of the English Company in an official manner. They are apparently taking contracts for telegraph extension through Batavia and Java, and preparing to connect Australia with India, under the impression that things are in the same state as they were when the representative of the Company was in Sydney. They are ignorant of the fact that by landing their wires from Melville Island on to the main land, they would be able to take them by a direct route across the continent. One objection might, perhaps, be raised against this overland line, on account of its liability to be damaged by the aborigines. But the general character of the natives whom Mr. Stuart encountered is such as to show that they are not much to be feared. Besides, portions of the line might be buried where necessary, instead of being attached to posts. This plan is resorted to with success in other parts of the world.

The present is, undoubtedly, the time for moving in this matter, and South Australia is the colony which ought to draw the attention of all who are interested to the fact that the question of route has assumed an entirely new form since 1859. It is admitted in all the colonies that if ever there is to be an overland traffic, its outlet must be to the west of the Gulf of Carpentaria. What, then, would be more absurd, now that the practicability of such line of traffic is proved, than to still entertain the scheme of carrying the telegraph by a different route. One of the great advantages of having this proposed telegraph at all would be, that it might assist in shortening the distance between the northern and southern coasts, and connect interior settlements with the outports. If we really believe that there is to be a highway across the continent to Point Hotham, we must also believe that a telegraph, if only for the purposes of internal traffic, will some day be necessary along that highway. Yet, according to Mr. Gisborne's statement, it seems to be decided that a direct overland telegraph is undesirable; and that the only way to connect these colonies with India, is by a roundabout line along the north-eastern coast, where no country would be opened up, and where intermediate stations would be useless.

Mr. Todd has reported that whilst Mr. Gisborne's line would cost 800,000*l.*, the expense of taking a line across the continent from Port Augusta would not be more than 500,000*l.* It has been further stated in the same report that "if suitable timber is to be obtained within easy distances, the cost will be very much less, as the cost of poles forms a serious item in the above estimate. Cartage of materials would, of course, be a heavy expense. I have thought a light threefold copper-wire rope, weighing about 234 lbs. to the mile, might be used with advantage, instead of the ordinary No. 6 galvanised iron wire, weighing 600 lbs. to the mile; copper, being a better conductor, would allow of the reduction in sectional area, without increasing the resistance. The first cost would be very much greater, but the saving effected in cartage would leave a considerable balance in favour of the copper." Camels, it is thought, might be used with advantage in the erection of the line; and Mr. Todd remarks, "It would be necessary to have stations, on the average, every 100 miles or so, to keep the line in order, &c., say 12 stations in all. These I have before recommended should be placed, as far as possible, in good pastoral country, having a run attached, which would induce persons of the necessary intelligence to accept the charge for a moderate remuneration. There should be one assistant; in some cases two."

We bring forward these suggestions now, because the whole question of an overland telegraph has an importance to this colony far greater than it had before Mr. Stuart's last successful expedition. The accessibility of the north-west coast from this side of the continent was problematical when Mr. Gisborne was in these colonies seeking to make an arrangement with the several Governments. But the matter is now placed beyond doubt, and it behoves South Australia not to let slip the advantages which have been so well gained.

Enclosure 2, in No. 6.

Mr. *Walters* to Sir *F. Rogers*.

Office of Agent General for South Australia,
5, Copthall-court, London,
26 March 1863.

Sir,

I WAS in hopes that after the letter I had the honour of addressing you on the 19th instant, for the consideration of his Grace the Duke of Newcastle, I should have had no further occasion to trespass upon your invaluable time.

The question of telegraphic communication is, however, of such deep interest to all the Australasian Colonies, as well as to Her Majesty's Government, that with all my repugnance to place myself so repeatedly before you, I feel it a duty to enclose a copy of my letter addressed this day to the Government of South Australia.

It involves the consideration of a contract proposed by Mr. Passmore, at an enormous saving to all the Governments concerned, without exception.

The stability on sufficient guarantee of parties, who will concur in the operation.

And, finally, the new difficulty, before unknown to me, that the cable laid down by Mr. Gisborne between Java and Singapore, that was relied upon for the connexion between Australasia and India has failed.

With a thousand apologies for my repeated intrusion, which I trust may not again occur,

I have, &c.
(signed) *G. S. Walters,*
Agent General for Her Majesty's Colony
of South Australia.

Sir F. Rogers, Bart.

Agent General to Treasurer South Australia.

Office of Agent General for South Australia,
5, Copthall-court, London,
26 March 1863.

Sir,

I HAVE the honour to lay before you the copy of a letter from Mr. Passmore, dated yesterday. You will perceive his desire that I should send to you the copy of his proposal to the Chancellor of the Exchequer, which he encloses for that purpose, and I accordingly comply with his wish, and now forward it. You will perceive that he tenders to make the line from East Java to Timor, and thence to land the cable on the nearest point on the north coast of Australasia; also, to carry the wire further by land 1,100 miles to the point that may be determined upon by the Australasian Governments, this central agreed point being that from which each Government can connect its own system and receive the telegrams simultaneously.

This Mr. Passmore proposes to do for the sum of 412,000 *l.*, named in his correspondence with me, already sent to you. (In printed copies).

I inquired of Mr. Passmore how he was situated with respect to affording some responsible guarantee for so large an undertaking? And in satisfaction of my inquiry he states that he is backed by responsible parties.

You will also notice, possibly with something of the same surprise, that I have felt the present condition of Mr. Gisborne's cable between Java and Singapore, described by Mr. Passmore, as broken down. Those seas are dangerous.

I have, &c.
(signed) *G. S. Walters,*
Agent General for South Australia.

The Honourable the Treasurer
of South Australia.

Mr. *Passmore* to Mr. *Walters.*

90, Cannon-street, E.C.,
25 March 1863.

Sir,

I BEG to hand you herewith copy of my proposal to the Right Honourable the Chancellor of the Exchequer of the 24th instant, stating my readiness to contract for the sea cable from East Java to the nearest point on the north coast, carrying a land line from thence 1,100 miles to a point, to be determined on by the various Colonial Governments, for the sum of 412,000 *l.*, as named in my correspondence with you.

From the point so suggested each Colony might adopt its own line of communication, receiving their telegrams at the same moment of time.

I must, however, warn you that my proposition will not place Australia in communication with Singapore, inasmuch as Mr. Gisborne's cable between Java and Singapore is not at work, having been broken down for some weeks. If not made good, I think it is worthy of consideration whether the cable should not cross the Straits of Sunda at the shortest point, and be carried along the Island of Sumatra by land, crossing the Straits of Malacca at the nearest point to Singapore.

I have, &c.
(signed) *Wm. B. Passmore.*

P.S.—Would you oblige me by sending to the South Australian Government the copy of my proposal.

G. S. Walters, Esq.,
Agent General for South Australia.

— No. 7. —

Mr. *F. Gisborne* to the Chancellor of the Exchequer.

6, Duke-street, Adelphi, W.C., 25 April 1863.

Sir,

In the absence of Sir Charles Nicholson, who is abroad, I venture to make an application arising out of your letter to him of the 19th ultimo.

It is stated in that letter, in reference to our proposition concerning the Anglo-Australian and China Telegraph, dated the 6th ultimo, that "My Lords will lose no time in dealing with the subject so soon as they have received another communication on the same subject, the immediate or early arrival of which they are given to understand may be expected."

This refers to an expected counter-proposition on the part of Sir Charles Bright, who has not, however, as yet communicated it.

About two months have elapsed since a deputation waited upon you in reference to this subject, and the request for delay was, I presume, made immediately afterwards.

The promoters admit that it may be desirable that Her Majesty's Government should have before them more than one proposition upon so important and extensive a subject.

They confidently submit, however, that if any *bonâ fide* counter-proposition were really contemplated, sufficient time has elapsed for its preparation, and they therefore beg to urge that their proposition of the 6th ultimo may be dealt with without further delay.

I have, &c.
(signed) *F. Gisborne.*

The Right Honourable
W. E. Gladstone, M.P.,
Chancellor of the Exchequer,
&c. &c. &c.

— No. 8. —

The Secretary of the Treasury to Sir *Charles Bright.*

Treasury Chambers, 4 May 1863.

Sir,

I am directed by the Lords Commissioners of Her Majesty's Treasury to request that you will inform their Lordships whether it is still your intention to submit a scheme of Telegraphic Communication to Australia, as stated in your letter to the Chancellor of the Exchequer, dated the 27th February last.

I am, &c.
(signed) *F. Peel.*

Sir Charles Bright,
1, Victoria-street, Westminster, S.W.

— No. 9. —

Sir *Charles Bright* to the Secretary of the Treasury.

1, Victoria-street, Westminster, S.W.,
7 May 1863.

Sir,

In reply to your letter of the 4th instant, I have the honour to inform you that it is my intention to submit proposals for the construction of a line of telegraph from India to Australia and China in a few days.

I am, &c.
(signed) *Charles F. Bright.*

The Right Honourable F. Peel, M.P.,
&c. &c. &c.
Treasury.

— No. 10. —

Messrs. *Bright* and *Clark* to the Secretary of the Treasury.

1, Victoria-street, Westminster, S.W.,
27 May 1863.

Sir,

Referring to Sir Charles Bright's letter of the 7th instant, we have now the honour to enclose, on behalf of several gentlemen interested in telegraphic communication with the East, a proposal for the establishment of a line of telegraph between India, Australia, and China.

Should the nature of this proposition be such as their Lordships are disposed to approve, we shall be glad to wait upon you at your convenience, and to give any further explanation which you may desire.

We have, &c.
(signed) *Bright* and *Clark*.

To the Right Honourable
Frederick Peel, M.P.
&c. &c. &c.

Enclosure in No. 10.

1, Victoria-street, Westminster, S.W.,
27 May 1863.

Sir,

We have the honour to address you, in reference to your letter of the 4th instant to Sir Charles Bright, on the subject of telegraphic communication with Australia.

In anticipation of the early completion of the Persian Gulf Telegraph connecting India with Europe, we beg to request that you will lay before the Lords Commissioners of Her Majesty's Treasury the following proposal for continuing the Indian line of telegraph from Rangoon to Australia and China.

The Australian Colonies have expressed their willingness to render pecuniary support towards the establishment of telegraphic communication between India and Australia, and as the Indian Government have, on a former occasion, contemplated the submergence of a cable between Rangoon and Singapore, we assume that they intend themselves to construct that line; we therefore beg to submit the following alternative propositions:—

1. To carry a line of telegraph from Singapore to the north coast of Australia, in the neighbourhood of Cape Londonderry (at or near which point we believe that the Australian Governments will be prepared to meet us with land lines), for an annual subsidy of 28,000*l.*, payable while the line is in working order:

   Or, should Her Majesty's Government prefer not to carry out the Rangoon and Singapore Telegraph themselves, to construct that line upon the basis of an additional equivalent subsidy, to be calculated according to the mileage.

2. To carry a line from Shoe-Gyen (the present eastern terminus of the Indian telegraphs in Pegu) through Burmah to Canton and Hong-Kong, and thence through the Philippine Islands to Port Essington in Australia, for an annual subsidy of 44,000*l.* per annum, payable while the line is in working order.

The subsidy in either case to be for 21 years, commencing when the line is open for the receipt of public messages.

We deem it unnecessary to occupy your time by any allusion to the magnitude of the undertaking, and its great importance both to this country and to the Australian Colonies, but shall be happy to enter into the details of our proposition should its basis meet with the approval of their Lordships.

We have, &c.

(signed)
Charles T. Bright.
Robert Grimston, Chairman of the Electric and International Telegraph Company.
Macdonald Stephenson.
J. M. Mackay & Co.
Caithness.
Henry Wigram & Sons.
Latimer Clark.
Edward L. Botts.
Joseph Paxton.
Edwin Clark.
Thomas Brassey.
James Baines & Co.
S. Morton Peto.

To the Right Hon. F. Peel, M.P., &c.

— No. 11. —

The Secretary of the Treasury to Sir *Frederic Rogers*.

Sir, Treasury Chambers, 24 June 1863.

With reference to your letters of the 16th March and 4th April last, transmitting copies of letters and of their enclosures from Mr. Walters, the Agent General from South Australia, respecting the establishment of telegraphic communication with the Continent of Australia, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you that my Lords have had brought under their notice, with a view to obtaining the assistance of Her Majesty's Government, several schemes for the purpose in question.

There is no doubt that the establishment of telegraphic communication with the Australian Colonies would be in all respects of great advantage, and no one could view otherwise than with much satisfaction the accomplishment of so desirable an object. My Lords, however, from the information at present before them, are unable to arrive clearly at a conclusion as to what, in the collective opinion of the Australian Colonies, would be the scheme of telegraphic communication which upon the whole would be the best, nor whether they would be justified, on behalf of this country, in granting aid out of imperial funds.

It therefore appears to my Lords that before they come to any decision on the matter, and on every ground of comparative knowledge and interest, it would be expedient to adopt the suggestion contained in the letter from the Agent General of South Australia of 19th March last, addressed to you—viz., that representatives should be deputed by the various Colonies to meet together and discuss the subject in all its bearings; and they would suggest that the Duke of Newcastle, unless he sees any objection to so doing, should cause a communication conveying suggestions to the above effect, and embracing the matters proposed in Mr. Walters letter, to be made to the Governments of the respective Colonies concerned.

I am, &c.
(signed) *F. Peel.*

Sir F. Rogers, Bart.,
&c. &c. &c.

— No. 12. —

Mr. *F. Gisborne* to the Chancellor of the Exchequer.

Sir, 6, Duke-street, Adelphi, 18 June 1863.

I have the honour to enclose, in continuation of the documents communicated to you by Sir Charles Nicholson on the 6th of March last respecting the Java-Queensland Telegraph, copy of a letter, dated the 26th of March last, from the Governor of New South Wales, and of two letters, each dated the 10th of April last, from the Governors of Tasmania and Queensland, all addressed to me. 3

These letters refer to the proposition made by the promoters to alter the terminus of the sea line by fixing it at the head of Gulf Carpentaria instead of at Brisbane.

I also beg to enclose an extract from a circular addressed by me to the Governors of the several Australian Colonies, dated the 19th of March last, and copy of a letter, dated the 17th of March last, addressed by me to Mr. E. Hamilton, the agent of New South Wales in this country, upon the subject of this alteration in the terminus of the sea line. 2

I also beg to enclose an extract from a letter, dated the 4th of February last, from the Governor of New Zealand to me.

I trust, Sir, that these letters, coupled with the past action of the Australian Colonies, will satisfy Her Majesty's Government that the establishment of the proposed India-Australia Telegraph is being actively promoted by them.

The Netherlands Government have already granted a subsidy for a cable between Singapore and Batavia, and I trust that Her Majesty's Government will secure the construction of the Rangoon-Singapore section, and contribute to a small extent to that between Java and Queensland.

I have, &c.

The Right Honourable W. E. Gladstone, M.P., Chancellor of the Exchequer, &c. &c. &c.

(signed) *F. Gisborne.*

Enclosure 1, in No. 12.

EXTRACT from LETTER, dated New Zealand Colonial Secretary's Office, Auckland, 4 February 1863.

* * * * *

IN reply, I am to inform you that the Government of New Zealand learn with much pleasure that this great undertaking is progressing satisfactorily, but that they have nothing to add to the letter to you of the 4th November last, which crossed your letter, except that there is little doubt that the New Zealand Legislature will contribute a sum proportionate to the sums paid by the Australian Colonies, when the advance of the work is such as to justify that payment.

This proportion will, of course, be comparatively very small until the line is extended to New Zealand.

I am, &c.

F. Gisborne, Esq., 6, Duke-street, Adelphi, London.

(signed) *W. Gisborne*, Under Secretary.

Enclosure 2, in No. 12.

EXTRACT from CIRCULAR to the Governors of the seven Australian Colonies, by *F. Gisborne.*

6, Duke-street, Adelphi, London, 19 March 1863.

AS you are aware, the promoters have adopted the overland telegraph between Brisbane and the south-eastern portion of Gulf Carpentaria, thus reducing the length of the sea line from East Java to that point to 1,830 nautical miles, the total capital required to 710,000*l.*, and the subsidy to 35,500*l.* per annum.

You are also aware that many persons in South Australia desire to see the terminus of the sea line fixed at Cambridge Gulf, on the northern coast, thereby reducing the length of the sea line to 1,030 nautical miles, but necessitating the construction of a land line between Cambridge Gulf and Spencer Gulf, on the southern coast; the land line proposed by Queensland will traverse a direct distance of 1,060 statute miles, that advocated in South Australia a direct distance of 1,413 statute miles. The actual mileage of wire will, of course, be immensely in excess of that length in each case, but I take direct distances for the convenience of comparison.

The land line, therefore, advocated in South Australia will be nearly half as long again as that adopted by the promoters; moreover, the latter will traverse a country in which there are already settlements to within less than 300 miles of Gulf Carpentaria, whilst in South Australia the cattle-stations do not extend beyond Cooper's Creek, which is 1,250 miles in a direct line from Cambridge Gulf.

I will here observe that neither in South Australia nor in Queensland is it contemplated that New South Wales, Victoria, Tasmania, and the other contributing Colonies shall be spared any outlay by shortening the sea line and reducing the annual subsidy to the Company, since I find that the Governments of both the former Colonies claim the co-operation of the others in constructing and maintaining a considerable portion, at least, of the land lines.

As the cables can be laid between India and Australia in less than two years from the granting of the subsidies, the promoters must, of course, see that the land line that is adopted can be constructed within that time, and can be afterwards efficiently maintained.

So important a communication as that in question cannot be left to depend upon an insecure line.

It is to be regretted that so many persons are attempting to make the telegraph the vehicle for preparing the country they are interested in for pastoral occupation, to the detriment of the direct object. I think it my duty to make these general observations: but

but I must add that, so far as my late communications with the Government of South Australia have proceeded, they completely satisfy me that the Executive of that Colony are prepared to adopt the land line which the majority of the Colonies agree in, and not unduly to insist upon their own; and it may be that in pointing out the superiority of the line through Queensland, I am only stating what will meet with universal assent.

I have, &c.
(signed) *F. Gisborne.*

(Copy.)

My dear Sir, 6, Duke-street, Adelphi, 17 March 1863.

I THINK it may be convenient to you if I very shortly sum up the principal points connected with the selection of the proper terminus on the northern coast of Australia, for the cable proposed to be laid between Java and that country.

The promoters have fixed on Van Dieman's Inlet, in the south-eastern portion of Gulf Carpentaria.

Sir Richard McDonnell and other gentlemen connected with South Australia desire the sea line to terminate at Cambridge Gulf.

The terminus in Gulf Carpentaria involves the construction of an overland line of telegraph thence to Brisbane; that at Cambridge Gulf of a land line thence to Spencer Gulf, on the southern coast of Australia, through the centre of the continent.

If the plan of the promoters be adopted, the sea line will be 1,830 nautical miles in length; if that of Sir Richard McDonnell, the sea line will be 1,030 nautical miles long: in the former case the land line to Brisbane will traverse a direct distance of 1,060 statute miles; in the latter case, the land line to Spencer Gulf will traverse a direct distance of 1,413 statute miles.

I deal with direct distances for the convenience of comparison, though Mr. J. J. Austin, the superintendent of telegraphs in Queensland, estimates the length of wire required to connect Gulf Carpentaria with Brisbane, *viâ* Port Denison and Rockhampton, at 1,600 statute miles. *Primâ facie*, the sea line ought to terminate at the existing terminus of the Australian telegraph system, now at Brisbane; but the desire existing in Queensland and South Australia to prepare the country in which they are respectively interested for pastoral occupation, by means of the numerous telegraph stations (which will be required nearly every 50 miles), has led to a very strong agitation in those two Colonies, in favour of the land lines above alluded to. That this is the real reason will be readily acknowledged by those who are acquainted with Australia; there is no idea of saving the pockets of the other Colonies by shortening the sea line, and thus reducing the subsidy given to it, since both Mr. Austin and Mr. C. Todd, the superintendent of telegraphs in South Australia, claim the assistance of the other Colonies in constructing and maintaining the land lines in which their Colonies are respectively interested. The promoters, however, having adopted the land line proposed by Queensland, the practical question is, whether they are right in their preference; or, in other words, whether the land line between Cambridge Gulf and Spencer Gulf, or that between Gulf Carpentaria and Brisbane, offers the greatest facilities of construction, and of being subsequently maintained in uninterrupted working order. It is sufficiently clear that neither New South Wales nor Victoria nor Tasmania have any direct interest in seeing either of the land lines preferred to the other. Now, on comparing these two rival land lines, it appears that the one connected with the interests of South Australia is, in direct distance, nearly half as long again as that connected with the interests of Queensland; moreover, I am informed by a "Minute of the Executive Council of Queensland," that "Pastoral occupation is already within less than 300 miles of the Gulf of Carpentaria, and will ere long reach its shores." Mr. Todd, on the other hand, informs me, in a letter lately received, "We have already cattle-stations to Cooper's Creek, or 500 miles from Adelaide, and a police-station nearly as far."

As regards the present, therefore, the preference is palpably to be accorded to the line proposed by Queensland; and, as far as appears, the future prospects of that line offer infinitely more security than that advocated in South Australia. This I feel sure will be evident to you, and cannot be discussed within the compass of a letter. Whence, for instance, and when will the white population come to occupy the country between Spencer Gulf and Cambridge Gulf, even if it be, throughout, as suitable for pastoral occupation as certain portions of it are asserted to be? And yet these questions must be answered, unless we are prepared to postpone, indefinitely, the establishment of telegraphic communication between Australia, India, China, and Europe. So important a communication cannot be thus delayed, and cannot be made to depend upon a line of telegraph through an unsettled country, which will undoubtedly be liable to perpetual interruptions.

I throw out of consideration the prolongation of the Queensland line of telegraph from Gulf Carpentaria to Port Essington and Cambridge Gulf, as I cannot see that either Queensland or South Australia have any present interest in that being done, and such a line would replace the safest portion of the sea line—that, namely, through Gulf Carpentaria, which is one vast bed of mud about 30 fathoms deep, and without any currents.

It is well known that, for "through" communication between distant countries, a sea line, laid in a moderate depth, offers far greater advantages than a land line, however

secure the latter may be. The absence of intermediate stations with local business, and the more constant action of a cable which is not influenced by changes of temperature and weather, and not liable to the numberless small accidents to which a land wire is exposed, are the principal causes.

I trust, Sir, that I have made out to your satisfaction that the land line advocated in Queensland, and which the promoters have adopted, is incomparably the most easy of execution and subsequent maintenance; and, further, that the other Colonies have no real interest in preferring the one to the other, except in so far as securing the most efficient line is concerned. I should state that all my late communications with the Government of South Australia convince me that that Colony is prepared to adopt the land line which the majority of the Colonies may determine upon, and will offer no obstacle by unduly insisting upon its own. Other considerations, such as the greater uncertainty of the cost of construction and maintenance of the South Australian land line, as compared to that through Queensland, will strike you.

I am, &c.
(signed) *F. Gisborne.*

E. Hamilton, Esq., Agent to the
New South Wales Government in England.

Enclosure 3, in No. 12.

Sir, Government House, Sydney, Australia, 26 March 1863.

I AM directed by Governor Sir John Young to acknowledge the receipt of your communication of date 26th January 1863, forwarding a copy of a letter which you have addressed to the Governor of Queensland.

His Excellency has lost no time in transmitting these documents to his ministers.

I have, &c.
(signed) *F. Turville*, Private Secretary.

F. Gisborne, Esq.

Government House, Hobart Town, Tasmania,
Sir, 10 April 1863.

I HAVE the honour to acknowledge the receipt of your lettter, dated London, 26th January 1863, which reached me only the day before the departure of the English Mail.

I agree with you in hoping that no delay will now be interposed, and that the Anglo-Australian and China Telegraph may be laid down as rapidly as possible.

The share which Tasmania can possibly take in the undertaking is, however, so insignificant that you will require no further expression from me.

I am, &c.
(signed) *T. G. Browne,*
Governor of Tasmania.

F. Gisborne, Esq.,
6 Duke-street, Adelphi.

Colonial Secretary's Office, Brisbane,
Sir, Queensland, 10 April 1863.

I AM directed to inform you that Governor Sir George Bowen has laid before the Executive Council of this Colony the letter addressed by you to his Excellency on the 26th January ultimo.*

* Copy communicated to the Chancellor of the Exchequer on the 6th of March, 1863, No. 15.

The Government of Queensland are very desirous to see speedily carried into execution the projected Anglo-Australian Telegraph. But it must be clearly understood that they can pledge themselves to nothing without the previous sanction of the Colonial Legislature. A proposal will be forthwith submitted to that Legislature for the extension of the overland telegraphic line from Brisbane to Port Denison, at all events, and from Port Denison to a point either on the Gulf of Carpentaria or on the north-western boundary of this Colony (*i. e.*, the 138th meridian of longitude), whenever it shall have been finally arranged that the International Telegraph shall meet the Queensland Line at either of those points.

It must also be clearly understood that Queensland cannot undertake to give any separate guarantee of the nature suggested in your letter now under acknowledgment. Indeed, you truly observe elsewhere, that "no progress will be made in this matter until the Colonies agree among themselves upon a common basis of action." That agreement the Government of Queensland will endeavour to secure so soon as the sanction of the Local Legislature shall have been obtained.

I have, &c.
(signed) *A. W. Manning,*
Principal Under-Secretary.

Francis Gisborne, Esq.
&c. &c. &c.
6 Duke-street, Adelphi.

— No. 13. —

Mr. *F. Gisborne* to the Chancellor of the Exchequer.

Sir, 6, Duke Street, Adelphi, 26 June 1863.

I HAVE the honour to acknowledge the receipt of a letter, dated the 24th instant, from the Lords of the Treasury, which is, no doubt, intended as an answer to Sir Charles Nicholson's letter to you of the 6th of March last, asking Her Majesty's Government to contribute one-fifth of the financial assistance required to carry out the Java-Queensland section of the India-Australia telegraph.

It is stated in the Treasury letter, "that my Lords are not prepared in the present state of their knowledge as to the relative merits of the different routes suggested to them, and in the absence of any plan of joint action on the part of the Australian Colonies generally, to entertain any of the proposals for the assistance of Her Majesty's Government in carrying out the telegraphic communication in question."

I beg respectfully to point out that the above statements are in part inaccurate, and where accurate, that they refer to matters of secondary importance.

There is a perfect unanimity as to the sea route; the three rival propositions before Her Majesty's Government and all the Australian Colonies agree that the sea line shall commence at Java, and following the northern coast of the chain of islands to Timor, shall thence cross the shallow sea to the coast of Australia.

It is asserted that South Australia will stipulate that an overland telegraph shall be made from Adelaide to Van Diemen's Gulf, or Cambridge Gulf (both on the north Coast), instead of that about to be constructed by Queensland from Brisbane to the head of Gulf Carpentaria, which affects the length of the sea line.

That assertion is premature, and, I believe, incorrect. The superintendent of telegraphs in South Australia writes to me that he will adopt the overland line, which the majority of the Colonies agree in.

The geographical position and course of trade of the different Colonies, as well as their declared opinions, clearly indicate that New South Wales supports the telegraph through Queensland, and that Victoria and all the other Colonies, except South Australia, have no direct interest in the country which either of the rival land lines will traverse, and therefore support that which can be soonest constructed and easiest maintained. On this point there is no difference of opinion, it being self-evident that the line through Queensland best fulfils those conditions.

The refusal to co-operate by South Australia would not materially obstruct the progress of the undertaking. There is also a perfect unanimity among all the Colonies that an annual subsidy of 5 per cent. upon the cost of the sea line is the best mode of assisting it.

It is quite true that some of the Colonies have not as yet officially declared that they will revive the subsidies voted in 1860.

This hesitation is, however, entirely due to the uncertainty which hangs over the construction of the long-promised telegraph between Singapore and India, though that between Java and Singapore has been subsidised by the Dutch Government, and though England and India will be in telegraphic communication by the end of this year.

It is the Secretary of State for India who compelled the promoters to ask the Treasury to contribute something to the Java-Queensland section; and the refusal to do this relieves the former, in his opinion, from making arrangements to secure the India-Singapore line, and has a direct tendency to discourage the Australian Colonies from giving effect to the plan of joint action already agreed upon.

I beg therefore to urge Her Majesty's Government to come to an understanding with the Government of India as to the construction of the India-Singapore Telegraph.

I have, &c.
(signed) *F. Gisborne.*

The Right Hon. W. E. Gladstone, M. P.,
Chancellor of the Exchequer,
&c. &c. &c.

— No. 14. —

Sir *Frederic Rogers* to Mr. *G. A. Hamilton.*

Sir, Downing Street, 9 January 1864.

28th December 1863.

No. 52, 2d October, 1863.

No. 100, 17th September 1863.

With reference to your letter of the 24th of June last, I am directed by the Duke of Newcastle to transmit to you, for the information of the Lords Commissioners of the Treasury, a copy of a letter from the Foreign Office respecting the establishment of telegraphic communication between Great Britain and Australia. I am also to enclose copies of Despatches from the Governors of Queensland and Western Australia, and I am to state that these are the only answers which have been at present received to the circular Despatch which his Grace addressed to the Governors of the several Australian Colonies on the receipt of your letter above referred to.

I am, &c.

G. A. Hamilton, Esq., &c. &c. &c.

(signed) *Frederic Rogers.*

Enclosure 1, in No. 14.

Mr. *Hammond* to the Under Secretary of State, Colonial Office.

Sir, Foreign Office, 28 December 1863.

I am directed by Earl Russell to transmit to you, for the information of His Grace the Duke of Newcastle, the accompanying copy of a Despatch from Her Majesty's Chargé d'Affaires at the Hague, respecting the negotiations of Mr. Gisborne with the Netherland Government respecting the terms in which a subsidy is to be granted to the "Anglo-Australian and China Telegraph Company," on the establishment of a line connecting Great Britain with Australia.

I am, &c.

The Under Secretary of State, &c. &c. &c. Colonial Office.

(signed) *E. Hammond.*

My Lord, The Hague, 8 December 1863.

Mr. Francis Gisborne is now engaged in negotiating with the Netherland Government, on the part of the "Anglo-Australian and China Telegraph Company," the terms on which a subsidy will be granted to that Company on the establishment of a line of telegraphic communication connecting Great Britain with Australia by way of Constantinople, Bagdad, Kurrachee, Rangoon, Singapore, Batavia, and Coepang.

Mr. Gisborne informs me that the cable destined to unite the line already completed as far as Bagdad with Kurrachee is expected to be laid in the month of February next, while a provisional contract has already been concluded with the Netherland Government, subject to the condition of furnishing satisfactory proof of the formation of a Company for the purpose, by which they engage to lay down cables connecting Singapore with Batavia and the eastern extremity of the Island of Java with Coepang in Timor, from which station the line is to be continued to the head of the Gulf of Carpentaria, and thence by the Queensland Government to Port Denison.

The proof of the registration of the Company in England has been transmitted to the Netherland Government, and the only part of the transaction remaining for consideration relates to certain corrections to be made in the articles of the provisional contract.

Mr. Gisborne is the same person who, in the year 1859, undertook to lay a cable for the Dutch Government between Singapore and Batavia, when it became necessary to obtain the consent of Her Majesty's Government for the purpose of enabling the Netherland authorities to establish a station at Singapore.

This was granted on certain conditions, which were arranged according to the instructions conveyed to me at the time from Lord Malmesbury, and approved by His Lordship's Despatch, No. 23, of the 14th March of that year.

A cable

A cable was accordingly laid at the expense of the Dutch Government by the parties for whom Mr. Gisborne acted; but from circumstances which it is not necessary to refer to in this Despatch, it has proved a failure.

The present proposed line is to be laid at the risk and charge of the Company represented by Mr. Gisborne, and he has included in the terms of his contract the principal conditions annexed by Her Majesty's Government to the permission granted to the Netherland Government on the former occasion, so far as they are applicable to the altered circumstances of the case.

I have examined the rough draft of the contract, and I do not find anything in it in the nature of a monopoly, such as the first condition required by Her Majesty's Government was designed to guard against.

With respect to the tariff of charges for through messages, the Netherland Government do not appear to be disposed to admit the Telegraph Company to any joint control over that part of the line which unites the station at Batavia with that at the eastern extremity of Java, which is, in fact, a line belonging exclusively to the Netherland Government, and has been for some years in operation for local purposes.

There is no stipulation such as the 4th article of the agreement, of which a copy was included in my Despatch, No. 38, of 5th March 1859, for the transmission of the messages of Her Majesty's Government in cipher without being subject to examination, since it is assumed that the compliance of the Dutch Government with such a condition is sufficiently guaranteed by the necessity of obtaining the consent of Her Majesty's Government to a similar privilege over the lines passing through British India.

I have, &c.
(signed) *W. R. Ward.*

The Earl Russell,
&c. &c.

Enclosure 2, in No. 14.

Copy of Despatch from Governor Sir *G. F. Bowen* to His Grace the Duke of *Newcastle*, K.G.

Government House, Brisbane, Queensland,
2 October 1863.

My Lord Duke,

I HAVE the honour to report that I have laid before my responsible advisers your Grace's circular Despatch of the 16th July ultimo, transmitting a suggestion from the Lords of the Treasury as to the expediency of representatives being appointed by the different Australian Governments to meet together and discuss, in all its bearings, the question of the proposed extension of telegraphic communication between England and Australia.

2. The Government of Queensland has, from the beginning, been ready to co-operate with the Imperial Government, and with the Governments of the other Australian Colonies, on this important question. The Colonial Secretary will address the chief secretaries of the principal Colonies in this group on the subject. The views of my Responsible Advisers were fully stated in a Minute of Council of 28th October ultimo, transmitted in my Despatch No. 64 of 1862. To those views they adhere, with my entire concurrence.

I may take this opportunity of reporting that the Parliament of Queensland, in its recent Session, voted the sums necessary for the immediate extension of the inter-colonial electric telegraph through the Queensland territory, so far north as to the town of Bowen at Port Denison, in about the 20th degree of south latitude. Pastoral settlement has already spread between 300 and 400 miles to the north-west of Port Denison, there being already sheep and cattle stations in the "Valley of Lagoons," and in some of the rivers flowing into the Gulf of Carpentaria, at a distance of probably not more than 200 miles from its shores. Settlers will doubtless have established themselves at the head of the Gulf long before the Indo-Australian telegraph can be completed. It seems manifest therefore that on every consideration of economy and safety, as well as in the general interests of Australian colonization, the telegraphic line should be brought from some point on the northern coast of this continent through the already settled territories of Queensland. The construction of the line to Port Denison, as recently authorised by the Legislature, will be pushed on by my Government with all convenient speed. On its completion, the town of Bowen will be in direct telegraphic communication with Brisbane, Sydney, Melbourne, and Adelaide.

I have, &c.
(signed) *G. F. Bowen.*

His Grace the Duke of Newcastle, &c.

Enclosure 3, in No. 14.

COPY of DESPATCH from Governor *J. S. Hampton* to His Grace the Duke of *Newcastle*, K. G.

Western Australia, Government House, Perth,
My Lord Duke, 17 September 1863.

IN compliance with the instructions contained in your Grace's circular Despatch of the 16th July last, I consulted with my Executive Council as to the expediency of appointing a person to represent this Colony at any meeting which may be held for discussing the question of establishing telegraphic communication with the Australian continent.

2. I fully agree in the opinion of the Council that, looking at the geographical position and the present state of the trade and finances of this Colony, it is undesirable to send any person to take part in such a discussion.

I have, &c.
His Grace the Duke of Newcastle, K. G., &c. &c. &c. (signed) *J. S. Hampton*, Governor.

— No. 15. —

The Under Secretary of State, Foreign Office, to the Under Secretary of State, India Office.

Sir, Foreign Office, 3 February 1864.

I AM directed by Lord Russell to transmit to you, to be laid before Secretary Sir Charles Wood, a copy of a letter which has been addressed to his Lordship by Mr. Gisborne, on the subject of the Singapore-Batavia Telegraph.

I am to add that no communication on this subject has been received by Lord Russell from the Netherlands Minister at this Court.

I am, &c.
The Under Secretary of State, India Office. (signed) *A. H. Layard.*

Enclosure in No. 15.

My Lord, The Hague, Holland, 16 January 1864.

I BELIEVE Mr. Ward has informed you that I am here to get transferred to the "Anglo-Australian and China Telegraph Company" a contract on the part of the Netherlands Government subsidising the Singapore-Batavia Submarine Telegraph as part of a line of telegraphic communication between India and Australia, undertaken by the Company.

The Netherlands Colonial Minister, writing to me on the 12th instant, states, "Before, however, taking definitive steps to the settlement of this matter, I have attached great value to being informed, with some certainty, of the existing chances for the final realization of the plans for the telegraphic connection of Europe with Singapore. For this purpose, the required information from London is not yet received by me."

This really refers to the Rangoon and Singapore Telegraph, as the Persian Gulf Cable is being laid, and telegraphic communication will be open between London and Rangoon next Spring.

The Netherlands Minister in London was instructed about the 10th ultimo to make this inquiry of Her Majesty's Government. The subsidy is not to be paid to the Company until Batavia, Singapore, and Rangoon are connected by telegraph; therefore, I suppose, the Netherlands Government will be satisfied with a general assurance that this is likely to take place (Art. 3.)

I may state that, during five years that I have been uninterruptedly engaged in this important undertaking, the uncertainty hanging over the execution of the Rangoon and Singapore Telegraph has invariably been my principal difficulty.

The Netherlands and Australian Governments have subsidised the line beyond Singapore; and I trust that I shall have your Lordship's good offices to induce Her Majesty's Government to give such an answer as will prove sufficiently satisfactory to the Netherlands Government to cause it to proceed in the matter.

I have, &c.
The Earl Russell, K.G. &c. &c. &c. (signed) *F. Gisborne.*

—No. 16.—

The Under Secretary of State, India Office, to the Under Secretary of State, Foreign Office.

Sir, India Office, 10 February 1864.

I AM directed by Sir Charles Wood to acknowledge receipt of your letter of 3d instant, with its enclosure from Mr. Gisborne, on the subject of the Singapore-Batavia Telegraph.

This subject, I am to state in reply, has more than once been brought before Sir Charles Wood directly by Mr. Gisborne, to whom were in consequence addressed two letters, dated 29th May and 29th August 1862, copies of which are transmitted herewith for Earl Russell's information.

See pp. 56 and 68 of Return dated 4th Feb. 1864 (22).

His Lordship will perceive that in these letters Sir Charles Wood, having considered this question in Council, expressed his opinion that the question of a telegraphic line from Rangoon to Singapore could only be entertained in connection with that of the construction of much more extended lines beyond Singapore; and that as the Lords Commissioners of Her Majesty's Treasury had declined to grant aid towards the establishment of a Java and Queensland Telegraph, he was not prepared to take any further steps towards the establishment of a telegraph between Rangoon and Singapore. I am to add that Sir Charles Wood has seen no reason to modify these views.

I am, &c.

A. H. Layard, Esq., M.P, &c. &c. &c. Foreign Office.

(signed) *T. G. Baring,*

—No. 17 —

Sir *Frederic Rogers* to Mr. *G. A. Hamilton.*

Sir, Downing-street, 23 February 1864.

WITH reference to Mr. Peel's letter of the 24th of June last, I am directed by the Duke of Newcastle to transmit to you, for the information of the Lords Commissioners of the Treasury, the copy of a Despatch from the Governor of Tasmania, showing the views entertained by his Government respecting the establishment of telegraphic communication between this country and the Australian colonies.

No. 118, 1st December 1863.

I am, &c.

George A. Hamilton, Esq., &c. &c. &c.

(signed) *Frederic Rogers,*

Enclosure in No. 17.

COPY OF DESPATCH from Governor *T. Gore Browne* to His Grace the Duke of *Newcastle*, K. G.

Government House, Hobarton, Tasmania,

My Lord Duke, 17 December 1863.

IN reply to your Grace's circular Despatch of the 16th July 1863, respecting the establishment of telegraphic communication with the Australian Continent, I have the honour to forward a memorandum by the Colonial Secretary, covering a correspondence with the Government of Queensland.

Memorandum by Colonial Secretary, 6th November 1863.

The Colonial Secretary observes that, in the present state of affairs, the Government of this Colony, isolated as it is at present, owing to the failure of the submarine cable, prefers to await the consideration of the subject of the several Governments on the Australian Continent, and it will be prepared to give its earnest attention to any scheme that may be proposed to it that may appear equitable to all parties.

Colonial Secretary, Queensland, to Colonial Secretary, Tasmania, 15th October 1863.

Colonial Secretary, Tasmania, to Colonial Secretary, Queensland, 18th November 1863.

I have, &c.

His Grace the Duke of Newcastle, K. G., &c. &c. &c.

(signed) *T. Gore Browne,*

MEMORANDUM.

THE Colonial Secretary has the honour, in returning to the Governor the circular Despatch of His Grace the Duke of Newcastle, of the 16th July 1863, upon the subject of telegraphic communication between England and the Australian Continent, to forward for his Excellency's information copy of a letter received from the Government of Queensland, and of the reply thereto.

The discussion of the general question, in all its bearings, at a congress of representatives from the different Governments, might possibly result in the adoption of some scheme for the united action of all the Colonies; but, in the present state of affairs, the Government of this Colony, isolated as it is at present, owing to the failure of the submarine cable, prefers to await the consideration of the subject by the several Governments on the Australian Continent, and it would be prepared to give its earnest attention to any scheme that may be proposed to it that may appear equitable to all parties.

Colonial Secretary's Office,
26 November 1863.

(signed) *James Whyte.*

Mr. *Herbert* to Mr. *Whyte.*

Queensland Colonial Secretary's Office,
Brisbane, 15 October 1863.

Sir,

THE question of telegraphic communication between England and Australia having been referred to in a recent circular Despatch from his Grace the Secretary of State for the Colonies, I take this opportunity of acquainting you with the steps taken by the Government of Queensland during the late Session for extending our telegraphic system to the northern portions of the Continent.

2. This Government has now obtained the requisite authority for continuing the electric telegraph as far as Port Denison; and in all probability a sufficient sum will be voted in 1864 for its further extension, either to the Gulf of Carpentaria or to some other point on the north-western boundary of Queensland, at the 138th meridian.

3. These extensions have been found to be immediately desirable for local objects, but the Government of Queensland has always been anxious to co-operate with the other Australian Colonies in completing as soon as possible the connexion between England and Australia; and I confidently hope that it may be possible for your Government to join in taking advantage of the Queensland extension, at all events as a temporary method of hastening the achievement of this important object.

4. As the absence of settlement has been one of the principal difficulties anticipated in the construction and maintenance of an electric telegraph through Northern Australia, I do myself the honour of stating for your information that pastoral occupation now extends for about 350 miles north-west of Port Denison, and that there is every reason to anticipate that before many months there will be a continuous line of stations as far as the Gulf of Carpentaria.

5. Trusting that your reply to this communication may be favourable to a further consideration hereafter of the terms upon which the several Colonies should contribute to the subsidy of the submarine line between Java and Australia,

I have, &c.

The Colonial Secretary, Tasmania.

(signed) *Robert G. W. Herbert.*

Mr. *Whyte* to Mr. *Herbert.*

Tasmania, Colonial Secretary's Office,
18 November 1863.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 15th ultimo, in which you acquaint me with the steps taken by the Government of Queensland for extending its telegraphic system to the northern portions of the Continent, having reference to the ultimate attainment of telegraphic communication with India and England.

In reply, I beg to assure you of the desire on the part of the Tasmanian Government to consider favourably this important subject; and they will be prepared to advocate in Parliament a liberal support towards the construction and maintenance of those lines which, concentrating in your Colony, shall place each member of the Australian group in communication with Great Britain, as soon as the scheme is sufficiently matured in all its parts as to assume a definite and tangible shape. It will be evident to your Government, that, as forming part of the inter-colonial system, the submarine lines connecting Tasmania with the Australian Continent is essential to its completion, and indeed constitutes that link upon which the interests of this Colony in the general undertaking mainly depend; and I therefore trust that in any scheme which may be in contemplation for the joint action of the several Colonies, this branch of the service may not be overlooked.

This Government will await the consideration of the subject by the several Governments

ments on the Australian Continent, and will give their earnest attention to such scheme as may be deemed most advantageous and equitable to all parties.

I have, &c.

The Hon. the Colonial Secretary, Queensland. (signed) *J. Whyte.*

— No. 18. —

Mr. *F. Gisborne* to the Chancellor of the Exchequer.

Hotel Tanbiz, The Hague, Holland,
27 February 1864.

Sir,

I TRUST you will forgive my addressing a few lines to you upon a subject on which I have been uninterruptedly engaged for the last five years, the establishment, namely, of telegraphic communication, by means of submarine cables, between India, Australia, and China, *viâ* Singapore.

The uncertainty hanging over the execution of the Rangoon-Singapore Telegraph has invariably proved my great, I was going to say my only, difficulty in bringing the negotiations with the Netherlands, French, and the six Australian Governments to a successful conclusion. Sir Charles Wood has always stated to us, "Get Mr. Gladstone to tell me that the lines from Singapore to Australia and China are secured, and I engage to construct, or to aid in constructing that between Rangoon and Singapore."

Practically, the various Governments I have negotiated with have referred to Sir Charles Wood for his intentions about the Rangoon-Singapore line, and his answer to them has been that "no decision has been come to." When, last year, I asked the Treasury to assist the line to Australia to the extent of only 7000 *l.* a year, rather in compliance with Sir C. Wood's request than because we wanted that subsidy, the answer I received was, in substance, that the Australian Governments had not agreed upon any common basis of action. I pointed out that a common basis of action had been agreed upon in 1860 by all but South Australia, and that it no doubt would again be agreed upon, as indeed was already the case with several of the Colonies, if the uncertainty connected with the Rangoon-Singapore telegraph was taken away.

I respectfully submit to you that this uncertainty should no longer be allowed to exist.

The India (Rangoon) Singapore Telegraph is, *per se*, as useful and valuable a line as can be constructed in any part of the world; and, in any case, it is pushing official caution to an extreme point to continue giving a stereotyped answer now that the Persian Gulf cable is being laid.

The propositions of the Company make the financial assistance asked for dependent upon the working of the cables, and give a *quid pro quo* by the gratuitous transmission of State messages; their lines will bring a large amount of business upon the Indian telegraphs, and will bring Australia and China within say 15 days of England, with at least a weekly communication, even when the Turkish line between Bagdad and Bassorah is interrupted, by means of the Suez lines of steamers.

All the cables can moreover be laid in a depth seldom exceeding 50 fathoms, and offer therefore every guarantee of being permanent.

I trust, Sir, that these remarks may have the effect of turning your attention to the importance of facilitating, rather than obstructing, the carrying out of this important system of communication with countries with which we have so many ties, both commercial and political.

Giving assistance affords the only means by which Government can reserve to itself any control for political purposes, and if fair propositions are now rejected, Government may some day, under pressure of war, have to find the money to carry out these lines itself; they will be wanted in a hurry, and will, after all, be probably completed too late to serve the occasion which produced them.

I am, &c.

The Right Honourable
W. E. Gladstone, M.P., Treasury. (signed) *F. Gisborne.*

P.S.—I understand that a deputation of the Directors has asked you to receive them, and I trust, Sir, that you will afford them the opportunity they seek to urge their case.

— No. 19. —

The Secretary of the Treasury to Mr. *F. Gisborne.*

Sir, Treasury Chambers, 5 April 1864.

I AM directed by the Lords Commissioners of her Majesty's Treasury to acquaint you that the Chancellor of the Exchequer has laid before this Board your further letter of the 27th February last, relative the establishment of telegraphic communication by means of submarine cables between India, Australia and China, *viâ* Singapore, and requesting the assistance of her Majesty's Government towards carrying out this project.

I am to state that my Lords having given their attentive consideration to this subject, have come to the conclusion that it would be quite premature for them to take any steps respecting this line of telegraph, and that they would not be warranted in leading you to expect any ultimate assistance towards its formation.

I am, &c.

F. Gisborne, Esq., (signed) *F. Peel.*
Duke Street, Adelphi.

TELEGRAPHIC COMMUNICATION
(INDIA, &c.)

COPY of Correspondence and Papers relating to the Establishment of Telegraphic Communication between *India*, *Singapore*, *China*, and *Australia*, since 6th February 1863 (in continuation of the Papers communicated in Session 1863).

(*Mr. Marsh.*)

Ordered, by The House of Commons, *to be Printed*,
13 *June* 1864.

380.

Under 4 *oz.*

EAST INDIA (WASTE LANDS).

RETURN to an Address of the Honourable The House of Commons, dated 11 February 1864;—*for*,

"RETURN of WASTE LANDS Sold in *India* since the Issue of the New Orders modifying Lord *Canning's* Rules:"

"And, COPY of any further PAPERS or CORRESPONDENCE relating to the SALE of WASTE LANDS or REDEMPTION of the LAND TAX (in continuation of those presented last Session).

India Office,
16 March 1864.

F. W. PRIDEAUX,
Secretary, Revenue Department.

[*Note.*—This Return includes the Papers comprised in the Address dated the 16th June 1863, for a "RETURN of the Extent of WASTE LANDS sold by the Government of *India* in each of the Years since 1857, distinguishing between Sales to Europeans and Sales to Natives."]

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*,
6 *April* 1864.

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RETURN of WASTE LANDS sold in *India* since the issue of the new Orders modifying Lord *Canning*'s Rules:—And, COPY of any further PAPERS or CORRESPONDENCE relating to the SALE of WASTE LANDS or REDEMPTION of the LAND TAX (in continuation of those presented last Session).

— No. 1. —

Home Department.—Revenue.—No. 11 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

WE have the honour to forward for your information copy of a correspondence, marginally noted, which has taken place between the Government of India and the Landholders' and Commercial Association at Calcutta, regarding the course taken by the Indian Legislature in enacting the law, transmitted to you as Act No. XXIII. of 1863, "to provide for the adjudication of claims to Waste Lands," under cover of his Excellency the Viceroy's Despatch, No. 15, dated 30th March last.

From the Secretary to the Landholders' and Commercial Association, dated 16 March 1863.
To ditto ditto, No. 2736, dated 29th ultimo.

We have, &c.

(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Fort William, 5 May 1863.

Enclosure 1 in No. 1.

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to *E. C. Bayley*, Esq., Secretary to the Government of India; dated 16 March 1863.

IN the latter portion of my letter of the 2d September, I made some remarks on the view taken by the Association on the alterations introduced in the system of selling waste lands, by the despatch of the Secretary of State for India, and by the instructions of the Governor General in Council based on that despatch.

I am directed by the Committee again to request the attention of the Government of India to some further observations which they wish to submit to its consideration, and particularly in respect to a new cause of delay and difficulty placed in the way of intending purchasers of waste lands, by a "Bill to provide for the Adjudication of Claims to Waste Lands," lately introduced into the Council of the Governor General, and passed at once (the rules for the conduct of business having been suspended for the purpose), without having been published or made known to the public in any way whatever.

Had the Bill been simply a provision to carry out the avowed object of Government, as confirmed in the 3d paragraph of your letter of the 26th September, viz., to enable Government to deal with any rights in lands sold, asserted by third parties, and which the Government undertook to settle without disturbing the possession of the *bonâ fide* purchaser, there might have been the less reason to complain of the manner in which the Bill was hurried through Council; but when an amendment was introduced which materially affects the rules for the sale of waste lands, the objection to such secret and hurried legislation becomes apparent.

The Resolution of the 17th October 1861, paragraph 17, directs that applications for grants shall be advertised "for a term which probably need rarely exceed thirty days;" and

in the rules for the sale of waste lands, published by the Government of Bengal on the 30th August 1862, the 7th clause provides that "the day of sale to be named in the advertisement shall not be less than thirty days from the date of publication."

Both the resolution of the 17th October 1861 and the rules of the Bengal Government had been maturely considered, and they both, whilst providing for a minimum period of 30 days, left the authorities free to extend the period when circumstances might make such a precaution necessary; whereas the Bill lately passed, Section I., makes a three months' advertisement compulsory in every case.

That in many districts a notice of 30 days is more than ample, as regards possible dormant claims, is beyond doubt, for the lands have been waste and uninhabited for centuries; and had due publicity been given to the Bill over-riding this clause of the rules, those interested in the subject would have had the opportunity of stating their objections to the change, and the Committee do not doubt with effect; for they conceive that, without disrespect to the Council, they may state their conviction that few of the members had considered the effect the Bill would have on the existing rules for the sale of waste lands, even if the general question of the sale of waste lands had engaged their attention.

The survey of lands previously to being advertised for sale, as provided by the existing rules, is in itself a notice to any persons who may be inclined to assert claims to the land, so that the period of advertisement is only a portion of the time given to claimants to make their demands.

The additional obstacle created by the Bill will be better seen if, as in my former letter, I assume that capitalists arriving at or resident in Calcutta propose to purchase waste land in Assam or Cachar, and that they engage a competent person to select and manage the grant when obtained. This person has to proceed to the district, and to select a tract of land, which must be in a ring-fence suitable for the cultivation intended to be introduced, and he must then make application to the Collector of the district,—

Rules of Government of Bengal, Sect. 4.

Stating the estimated area of the land applied for, the situation of the land and its boundaries, as accurately as can be ascertained.

Sects. 5, 6 and 7.

If the Collector be satisfied that the land is available for purchase, and it has not been surveyed, he shall cause it to be surveyed, and its boundaries demarcated; and, on the completion of the survey, the advertisement of sale shall be published.

Bill to provide for the adjudication of claims to waste lands.

The advertisement for the sale shall not be less than three months.

The Committee consider that the time required for the process above given may be moderately stated as under:—

I.	Selection and application to Collector - - - - -	3 months.
II.	Order for survey to completion of survey - - - -	6 ,,
III.	After completion of survey, to be advertised for not less than - - - - - - - - - - -	3 ,,
		12 months.

Thus, no one proposing to purchase waste lands can expect the ground selected to be put up to sale under 12 months, during which time the expenses and salary of the person employed will amount to from 4,500 rupees to 6,000 rupees; and, when the lot is put up for sale, it will have cost the intending purchasers from *Rs.* 1. 8. to 2 rupees per acre, supposing the area to be 3,000 acres (the largest allowed); and, having arrived at this point at the above cost, he will find that he has to compete with some newly-arrived settler, who has 4,500 rupees or 6,000 rupees in his pocket, and the example of the first applicant to warn him against undertaking the same process.

The Committee would suggest that a return be obtained from the Government of Bengal, showing the number of applications for grants of land in Assam and Cachar, from the publication of the Resolution of 17th October 1861 to the date on which it was superseded, and a similar return for the period from the publication of the new rules to the present time. They do not know what the result of such returns would be, but they believe that they would show that the change in the rules has greatly checked the influx of settlers to those districts.

In conclusion, I am directed to solicit the consideration of Government to the above remarks, with a view to such a revision of the rules for the sale of waste lands as may remove any obstacles found to deter capitalists and settlers from largely purchasing and reclaiming the uninhabited waste lands throughout India.

Enclosure 2 in No. 1.

Home Department.—Revenue.—No. 2736.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association.

Sir, Dated Fort William, 29 April 1863.

I AM directed by the Honourable the President in Council to acknowledge the receipt of your letter, dated the 16th ultimo, on the subject of the rules now in force for the sale of waste lands, and referring particularly to the manner in which the Bill lately passed by the Council of the Governor General for making laws and regulations to provide for the adjudication of claims to such lands, was hurried through the Council.

2. In reply, I am directed to state, that the circumstances under which the Bill, referred to in your letter, was passed without any previous publication, are noticed in the Reports of the proceedings of the Governor General's Council on the 18th and 25th February last, copies of which were published in the Official Gazettes of the dates mentioned in the margin. 21 February. 7 March.

3. Had the Bill, after being introduced, been published for the usual period of 12 weeks (and a shorter period would obviously not have sufficed to admit of the provisions of the Bill becoming generally known throughout the country), a delay of several months must have ensued before the Bill could have come into operation; during all which time the Government would have been powerless to give a secure and indefeasible title to persons purchasing any waste land sold as the property of Government, or to prevent the claimant of any land so sold, on proof of his claim in a court of justice, from obtaining a decree for the reversal of the sale. It was considered, therefore, on every account desirable to adopt what under the circumstances appeared to be the only alternative, and by a suspension of the rules for the conduct of business at meetings of the Council of the Governor General for making laws and regulations, to pass the Bill at once into law rather than subject intending purchasers of waste lands to the serious inconveniences just mentioned, and to the positive loss which the reversal of a sale might in many cases entail upon them.

4. It was felt, indeed, that so long as the uncertainty which it was the object of the Bill to remove was allowed to continue, intending purchasers of waste lands would hesitate to invest their capital in the purchase of such lands, or to expend money in the improvement of any land purchased, with the knowledge that their right to the land might be successfully contested at any time within the period of 12 years from the date of the sale; and that on a decree being given against them they would have no claim to anything beyond the bare purchase money paid by them, with perhaps interest thereon at the prevailing rate. It will thus, I am directed to state, be seen that the course adopted by the Council was in the interest of intending purchasers of waste lands; and that if any class of purchasers have cause to complain of precipitancy in the manner in which the Bill was passed, such complaint cannot reasonably be made by persons wishing to become the purchasers of waste lands.

5. In the Bill, as originally framed, the time for which waste lands proposed to be sold as the property of Government were to be advertised for sale, was, no doubt, as noticed by the Landholders' and Commercial Association, not less than one month; and this period was afterwards extended to not less than three months. I am directed to say, that this alteration in the Bill, as originally drawn, was not adopted without full and anxious deliberation. It was strongly pressed upon the Council by some of its members, as well as by others whose knowledge and experience gave great weight to their opinions, that one month was too short a time; that it might frequently happen that persons who claimed an interest in the land proposed to be sold or otherwise disposed of, or who had objections to offer to the unreserved sale or other disposition of the land, might be prevented, by absence or other cause, from hearing of the advertisement in time to admit of their preferring their claims or objections; and that as the Bill proposed that a sale, once effected, should be absolute and incapable of reversal upon any ground, great injustice might often be done.

6. In addition to the foregoing reason for enlarging the minimum period of the advertisement, the Council could not overlook the fact that the Bill proposed materially to alter the existing law, and to introduce novel provisions adverse in their nature to persons claiming an interest in lands ordered to be sold on account of Government as waste, or having objections to the unreserved sale of such lands. Under the law, as it stood previously to the passing of the Bill, every such claimant or objector had not only a right to prefer his claim or objection in the ordinary courts of law, but he was allowed 12 years for bringing his suit, calculated from the date of the sale when the land had been sold, or of any other act by which the claimant or objector considered himself to be aggrieved; and, in the event of the claim or objection being established, the Court would have had no alternative but to order the restoration of the land to the plaintiff, or his re-instatement in the interest proved to be possessed by him in the land, however long the land might have remained in the possession of the opposite party, and whatever changes it might have undergone, or however much it might have been improved in the interval. In the case of an adverse decision the claimant or objector had further the right of appeal; and when any question of law or usage having the force of law, was involved in the decision, he was at liberty to prefer an application for a special appeal to the High or Sudder Court. The rights just described could neither be taken away, nor could the exercise of them be prevented by an order of

the Executive Government, or, indeed, otherwise than by an Act of the Legislature; and, as any such Act would be altogether exceptional in its character, it could only be passed on very strong and sufficient grounds. Public policy, or the interests of the public, appeared to furnish such grounds in the present instance; but, while this was admitted by the Council, it was felt that great consideration was due to the persons who would be most seriously affected by the bill, *i.e.*, persons claiming an interest in waste lands ordered to be sold, or otherwise disposed of on account of Government; and that in depriving such persons, for the public good, of the privileges enjoyed by them under the substantive civil law and law of procedure existing at the time of the introduction of the bill, care must be taken to prevent, as far as possible, injustice being done to them by the operation of any new law that might be passed. In this view it was obviously necessary, in fixing the time for which lands proposed to be sold or otherwise disposed of on account of Government as waste, should be previously advertised, to allow a reasonable time, in other words, a time within which persons, claiming an interest in the lands, or objecting to the unreserved sale or other disposition of the same, might reasonably be expected to become acquainted with the measure in contemplation, and to attend and prefer their claims or objections before the sale or other disposition of the land took place, which, how ver well founded their claims or objections might be, would render the restoration of the land to them, or their re-instatement in any interest possessed by them therein, impossible.

7. The minimum period fixed by the Bill as passed, viz., three months, cannot, the President in Council thinks, be regarded as unreasonable or as excessive; and his Honour in Council sees no reason to suppose that the enlargement of the period from one month, the time mentioned in the bill as originally drawn, to three months, will have any effect upon intending purchasers of waste lands, or deter such persons from coming forward and applying for the sale of lands to them.

To the Secretary to the Landholders' and Commercial Association, No. 5236, dated 26 Sept. 1862.

8. As already noticed, the bill provides that a sale once effected shall be irrevocable; and, in thus securing the title of the purchaser against all claimants, the bill has fully carried out the intention expressed by the Government in paragraph 3 of the letter noted in the margin.

9. Objection is taken in your letter under reply to the length of time that must ordinarily intervene after the issue of an order for the survey of waste lands, consequent on an application for the sale of the same, and the completion of the survey. The Landholders' and Commercial Association calculates the interval at six months. On this point, I am to observe that the Association does not appear to be aware of the circular instructions issued by the Government of India, under date the 9th September last, to the local governments, requiring immediate action in districts where a demand for waste lands is likely to arise in respect to the survey of such lands, and the marking out of the same in convenient allotments. A copy of these instructions is forwarded herewith for the information of the association.

10. In conclusion, I am desired to state that it is the wish of the Government of India to place in the way of intending settlers every facility for the acquisition of waste lands that can be granted without injury to the just claims of others; and that as soon as the rules for the sale of waste lands, and the Act lately passed for facilitating the adjudication of claims in respect to such lands shall have been a sufficient time in operation to admit of a definite opinion being formed as to their practical effect, the Government of India intends carefully to re-consider the subject; and if it be found that the rules or Act interfere injuriously with the sale of waste lands, or deter intending purchasers from coming forward to buy such lands, and it be shown that the parts of the Rules or Act which are attended with this effect can be modified without injury to third parties or to the public interests, the Government will be prepared to consider any proposition for the modification of the same which may be submitted by the Landholders' and Commercial Association, or by any other persons.

— No. 2. —

Revenue,—No. 18.

To His Excellency the Right Honourable the Governor General of India in Council.

My Lord, India Office, London, 9 July 1863.

Para. 1. I have had under my consideration in Council the letters from your Excellency's Government, dated the 26th September (No. 16), 27th September (No. 17), and 30th December (No. 22) 1862; also your further letters of the present year, dated the 7th January (No. 1), 31st January (No. 2), 2d February (No. 3), 6th February (No. 4), and 5th May (No. 11), and your letter in the Foreign (Revenue) Department, dated the 22d January (No. 3) 1863.

2. These

2. These letters inform me of the proceedings which have been taken by your Excellency in Council, and by the several local Governments, consequent on the receipt of my Despatch of the 9th July (No. 14) 1862, on the subject of the sale of waste lands in fee simple.

3. The rules which have been promulgated for the sale of waste lands in Bengal, the North West Provinces, the Central Provinces, and Sind, appear to me generally to carry out the instructions contained in that Despatch, and do not call for any particular remark. You will carefully watch their operation, and if any of their requirements should be found to throw unnecessary obstacles in the way of persons desirous of acquiring land at the disposal of Government, you will make such modifications as may be practicable, consistently with the paramount object of securing the rights of third parties under the provisions of Act XXIII. of 1863. I am glad to learn that, at least in the North West Provinces, and I presume, therefore, in other parts of India, the preliminary survey required by my Despatch will not interpose any serious difficulty. The Board of Revenue, in their letter to the Government North West Provinces, dated 2d October 1862, observe, "under existing circumstances, every facility is given to applicants to indicate the position and limits of the grants they are anxious to obtain, and the survey and demarcation at that stage is an easy and inexpensive process."

4. There is one point, however, to which I desire to direct the attention of your Excellency in Council. By the 19th of the Bengal rules, grantees of waste lands, under previously existing rules, are permitted to redeem the future land revenue payable on their grants "for an amount equal to the present value of all future stipulated annual payments, calculated at 5 per cent. interest, provided the said amount is not less than two rupees eight annas an acre on the whole area." By No. 17 of the North West Provinces' Rules, similar grants may be redeemed, not at the present value of the future stipulated payments, but "at the highest rate fixed for any year during the currency of the grant," calculated according to the market rate of 4 per cent. Government securities at the time being. It is desirable that the same rule in this respect should prevail throughout India, and it appears to me that the Bengal rule is the fairest and most equitable, both as regards the interests of the person desirous of redeeming, and those of the revenue.

5. I have perused with much interest the papers connected with the sale of lands at Darjeeling, which, having been applied for by persons on the spot, but not having been dealt with in the manner prescribed in the Resolution of Earl Canning's Government, dated the 17th October 1861, were put up to sale by public auction, the original applicants being offered the option of purchasing the land applied for at 10 rupees per acre, the price fixed for land at that station by the previously existing rules. I observe from the public papers that one of the applicants has brought the question before the High Court of Judicature at Calcutta, with the view of obtaining possession of the lands for which he had applied, and no decision, at the date of the last reports, seems to have been given. In this state of the case, I abstain from making any observations on the proceedings of the Lieutenant Governor of Bengal in relation to this matter, but I request to be supplied with full information as to the conclusion at which the Court may arrive.

I have, &c.
(signed) *C. Wood.*

— No. 3. —

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to the Honourable *A. Eden*, Secretary to the Government of Bengal; dated 17 April 1863.

SOMETIME since, when communicating with the Government of India on the question of the sale of waste lands, I was directed to suggest that they should ask the Bengal Government for a report, setting forth the number of applica-

tions made for grants in Assam and Cachar, from the date of the publication of the Resolution of the 17th October 1861, to the date when it was superseded by the new Rules, and of similar applications from the date of the publication of the new Rules, up to the present time.

As it is quite uncertain whether the Government of India will act upon this suggestion, and as the Committee are desirous to have the information, I am directed to apply for it direct to the Government of Bengal, and I shall therefore feel greatly obliged by your favouring me with the return suggested, if it should have been made.

If the return has still to be obtained from Cachar and Assam, the Committee would suggest that it should show, not only the number of applications, but also the estimated area of the lands applied for.

(No. 1703.)

FORWARDED to the Board of Revenue, with a request that they will furnish a statement of the description required. Original paper to be returned.

From *A. Stuart*, Esq., Acting Secretary to the Landholders' and Commercial Association, to the Honourable *A. Eden*, Secretary to the Government of Bengal; dated 27 May 1863.

I AM directed by the Committee of the Association to acknowledge receipt of a letter from the Secretary to the Board of Revenue, dated 13th instant, covering a table of grants applied for in Assam, under Lord Canning's resolution of 17th October 1861, and stating, "that no applications for grants were made in Cachar."

2. This statement was sent in compliance with the request contained in the letter from the Association to the Government of Bengal, dated 17th April.

3. I am directed to observe, that the information sought by the Association was not the number of applications under Lord Canning's Minute, which, from the local officials in some places refusing to receive applications under that resolution till the publication of rules by the Revenue Board and from other causes, were known to have been comparatively few, but "a report setting forth the number of applications made for grants in Assam and Cachar from the date of the publication of the resolution of the 17th October 1861, to the date when it was superseded by the new rules, and of similar applications from the date of the publication of the new rules up to the present time," the former of which the Committee still believe to have been unprecedentedly numerous and for large areas, and the latter equally small, both in number and extent.

4. The Committee direct me further to state, that the returns they previously asked for would be represented by Tables under the following headings:—

I. A. Total number of applications for grants of waste land prior to 1st November 1861.

I. B. Total number of grants made by the local officials on such applications, irrespective of confirmation or disallowance by the Revenue Board.

I. C. Total area of the grants so made.

II. A. Total number of applications of all kinds, and under whatever rules for grants of waste land from 1st November 1861 till Sir C. Wood's rules came into operation locally, and date of such local operation.

II. B. Total number of grants to which such applicants are consequently entitled.

II. C. Total area which such grants will contain.

III. A. Total

III. A. Total number of applications for waste land from the date when Sir Charles Wood's rules came into operation locally, till the date of the return.

III. B. Total number of sales either made or to be made in consequence.

III. C. Total area comprised in such past or future sales.

5. The Committee of course only submit these headings as a specification of what is required, and will feel obliged if the Government will furnish the information in any manner which may be most convenient.

(No. 2288.)

COPY of the above forwarded to the Secretary to the Board of Revenue, with a request, that the Board will comply with the application therein contained.

— No. 4. —

From *J. P. M'Killigin*, Esq., Chairman of the Landholders' and Commercial Association, to *E. C. Bayley*, Esq., Secretary to the Government of India; dated 12 May 1863.

I AM directed by the Committee of the Association to acknowledge the receipt of your letter, dated 29th ultimo, regarding the manner in which the Bill to provide for the adjudication of claims to waste lands was hurried through the Council.

Before replying to your letter under acknowledgment, I am directed to call your attention to the following paragraph of Mr. Beckwith's letter of 16th March (which has been apparently overlooked), requesting "that a return be obtained from the Government of Bengal, showing the number of applications for grants of land in Assam and Cachar, from the publication of the resolution of 17th October 1861, to the date on which it was superseded, and a similar return for the period from the publication of the new rules to the present time."

Unless a return of this nature be obtained, the Association will not be in a position to submit, in so satisfactory a way as they otherwise could do, their opinions on the practical working of the rules for the sale of waste lands.

I therefore trust that his Excellency will approve of the suggestion of the Committee of the Association, and see fit to call for the return above referred to.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *J. P. M'Killigin*, Esq., Chairman of the Landholders' and Commercial Association (No. 3378); dated 27 May 1863.

I AM directed to acknowledge the receipt of your letter, dated the 12th instant, and in reply, to inform you that a copy of it will be forwarded to the Lieutenant Governor of Bengal, who will doubtless be glad to comply with the wish of the Association for a return showing the number of applications for waste lands.

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to *E. C. Bayley*, Esq., Secretary to the Government of India; dated Calcutta, 15 June 1863.

IN continuation of letter of the 12th May, from the Chairman of this Association, I am directed to reply to your letter, No. 2736, of the 29th April.

In the 3d and 4th paragraphs of your letter, you explain the hurried manner in which the Council of the Governor General of India had passed the Bill to

provide for the speedy adjudication of claims to waste lands by the desire of the Council, to protect intending purchasers from the risk of having their right to the land successfully contested at any time within a period of 12 years, and of being ejected with the loss of all the improvements they had made, as " they would have no claim to an anything beyond the bare purchase-money paid by them, with, perhaps, interest thereon at the prevailing rate."

I am desired to state that this is a view of the question that had never occurred to the Committee; the public had the direct and specific pledge of the Government that the possession of persons to whom the land has been granted *bonâ fide* shall not be disturbed, and that Government will themselves satisfy any claims which shall be established to such lands.

That such was the pledge of Government, and that the Bill was not introduced to protect purchasers from the consequences pointed out in your letter, but to enable the Government to carry out their pledge and to facilitate the settlement by them of any claims that might be brought forward, seems to the Committee to be conclusively shown by the correspondence which took place in September last, and which I quote here to obviate the necessity of reference.

Extract of letter from the Secretary, Landholders' and Commercial Association, to the Secretary to the Government of India, dated 2 September 1862 :—

" The Committee understand that the legislation to give legal effect to the provisions of paragraph 19 of the Resolution will have relation only to the mode of dealing with any rights which may be established by third parties on land sold, and will affect only those third parties and the Government who undertake to make compensation, whilst the possession of the party to whom the land has been granted *bonâ fide* shall not be disturbed."

Extract of letter from the Secretary to the Government of India to the Secretary to the Landholders' and Commercial Association, No. 5236, dated the 26th September 1862 :—

" Para. 3. With reference to paragraph 4 of your letter (of the 2d September) I am desired to state that the intention of the Governor General in Council, in regard to the legislation necessary to give effect to paragraph 19 of the Resolution of the 17th October 1861, has been correctly apprehended by the Association, so far as the position of the grantees is concerned."

After the assurance contained in the above correspondence, the Committee are surprised at being told that the Bill was hurried through Council to protect purchasers from being ejected from their lands, with the loss of all the improvements they might have made; and, on the contrary, they consider they were fully borne out in the view that the Bill was a Bill to give facility to the Government in carrying out the pledge they had given, and continued to give, whenever waste lands were sold.

Although the Association did not consider that purchasers of waste land were otherwise than remotely affected by the Bill, the Committee did not expect or desire that any real liability should be incurred by Government; and had delay in passing the Bill been likely to impose any such, they would not have objected so strongly to the hurried way in which it was passed, though they do not see why so much delay should have occurred in introducing a Bill which was considered so pressing.

The Committee believe that no third party has as yet made any claim to waste lands granted or sold by Government; and, in the present state of the waste land rules, it is very unlikely that any such claim should soon arise.

In your letter you refer me to the proceedings of the Governor General's Council, published in the " Official Gazette " of the 21st February and 7th March, but the alteration in the period of advertisement was only proposed on the 25th February, the day in which the Bill was finally disposed of.

The Committee do not question the experience of those whose opinions induced the Council to extend the minimum period of notice from 30 days to three months, but they apprehend it was an experience of particular localities; it is very possible that lands which were occupied and cultivated not very long ago have, by the incursions of the Mahrattas and the devastation of the Pindarees, become waste, and that claimants to such lands may possibly still exist;

exist; but the minimum of 30 days did not in any degree preclude the fixing of a longer date by the Government for districts so circumstanced, and it is not imagined that any one can have suggested that 30 days is not ample notice in countries like Assam and Cachar, covered by dense forest and jungle, the growth of centuries.

The circular instructions of the 5th September 1862, referred to in the 9th paragraph of your letter, had not been communicated to this Association, or been published, in so far as has come under their notice; but in the proceedings of the Governor General's Council of the 25th February last, a proposition of a similar nature to those instructions was suggested by Sir Charles Trevelyan, when the Lieutenant Governor stated in reply that "it has been found as yet impossible to undertake a general survey of all the districts in which waste lands were situated;" "such a survey could not be commenced in Assam until some of the survey parties now employed in Bengal were available."

This, and the whole tenor of the Lieutenant Governor's reply, would show that the length of time likely to intervene between the application for land and the completion of the survey was not over-estimated in my former letter.

As bearing out this view, I beg to quote from a letter very recently received by the Assam Tea Company from their superintendent.

Extract of letter, No. 543, of 30th May:—

"I am afraid we will have to await for years before we get any more land under the rules for grants of waste land. The surveyor sent up by Government, and who arrived in Assam in January last, has only been able to survey a few small pieces of land applied for before August 1862, and up to date not a 'Tar' of land applied for under the new rules has been even looked at."

With regard to the concluding paragraph of your letter, I am desired to say that the Committee are glad to find that there is a prospect of the Act and rules for the sale of waste lands being modified when found to interfere injuriously with the sale of waste lands, or to deter purchasers from coming forward to buy such lands.

The Committee have never doubted that the rules as now passed have the effect of deterring purchasers from coming forward to buy land; and if the return, which they suggested in my letter of the 16th March, and again of the 12th May, should show that the practical result has been such as the Association have contended that it must be, they hope that the Government may be induced to re-consider the rules at once, with a view to the removal of those defects which the Association have already pointed out.

In conclusion, I am directed to observe that, although the delay of a year or two may appear to be of slight importance to the Government, it entirely frustrates the plans of those individuals who had intended to embark their capital and enterprise in the purchase and cultivation of waste lands.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *J. Beckwith*, Esq., Secretary to the Landowners and Commercial Association (No. 4623;) dated 27 July 1863.

I HAVE received and laid before the Honourable the President in Council your letter, dated the 15th of June, and with reference to the first portion of it, I am directed to observe that the Association would seem to have misapprehended the limit of the power which the Government can exercise in its executive capacity.

2. The Government in its executive capacity has not, and never has had, any power to prevent persons who may be able to establish in the courts a right to land, sold as waste, from repossessing themselves of that land, to the extent of their rights.

3. Neither has the Government the power, nor has it ever had the power, of compelling those persons to exchange their rights for a pecuniary compensation.

4. Such rights can only be extinguished by lengthened adverse possession

under the general Law of Limitation, or by a special Act of the Legislature, such as Act XXIII. of 1863. This Act has conferred upon the Government a peculiar and exceptional power of barring such rights to the land itself in certain circumstances and under certain conditions. Without such an Act the Government would have been entirely unable to afford protection to purchasers of waste lands against any claims which might have been established to such lands in a court of law.

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue Tower Provinces (No. 257;) dated 24 July 1863.

COPIES of two statements received with Dacca Commissioners No. 101, dated 10th instant, forwarded to Government, with reference to junior secretary's; No. 1703, dated 24 April last.

From *R. Pereira*, Esq., Assistant to the Commissioner of the Dacca Division, to the Officiating Secretary to the Board of Revenue, Lower Provinces (No. 101;) dated 10 July 1863.

IN the absence of the Commissioner, and to avoid delay, I have the honour to submit, for the information of the Board of Revenue, copies of the accompanying statements from the superintendent of Cachar, regarding the waste lands in his district called for in your letter, No. 130, dated the 13th May 1863.

SHOWING APPLICATIONS for COMMUTATION to RENT-FREE from Date of Promulgation of Rules of 30 August 1862 to the end of April 1863.

1. District.	2. Date of Application for Commutation.	3. Date of Application for Grant of which Commutation has been applied for.	4. Area of Grant in Acres.	5. Names of Villages in which Grant is situated.	6. Names of Grantees.	7. REMARKS, showing what Steps have been taken in consequence of an Application for Commutation.
			A. r. p.			
Cachar -	23 Oct. 1862	26 Sept. 1856	618 2 13	Dhulleedhur - - -	Surrespoor Tea Company -	The area in Column 4 being only an approximated area, arrived at by a rough survey, and in some cases large tracts having still to be included in the grants, immediate commutation is impossible. No steps have therefore been taken, pending reply to this Office Letter, No. 33, of 25 February. Money has been received in deposit for survey expenses, and in part of the redemption money, on the understanding that the balance, whatever it may be, is to stand at 10 per cent.
	23 Oct. „	31 July „	2,741 0 14	Ballie Kandy - - -	Ditto.	
	23 Oct. „	6 Sept. 1861	1,500 0 0	Budderpoor - - -	Ditto.	
	23 Oct. „	16 May 1856	1,652 0 2	Chundipoor - - -	Ditto.	
	25 Oct. „	22 July „	2,691 0 14	Burochung - - -	Kainchunpoor Tea Company.	
	25 Oct. „	27 June „	796 0 17	Coocheela - - -	J. Borradaile & Company.	
	17 Nov. „	27 Nov. 1857	1,104 2 0	Monachurra - - -	Dr. Barry.	
	17 Nov. „	14 April „	965 1 17	Ballidram and Company -	Ditto.	
	17 Nov. „	9 Dec. 1861	8,513 0 0	Lalla Mookh - - -	Dr. Charles Archer.	
	17 Nov. „	26 May 1856	12,057 0 6	Turootajabarrie - -	Cachar Company - -	2,500 of this grant to be specially commuted at once, as per Letter No. 1762, dated 28 April 1863, from the Government of Bengal to the Board of Revenue.
	17 Nov. „	8 Feb. 1862	3,058 0 0	Morgargool - - -	Eastern Bengal Tea Company.	To be specially commuted at once, as per above.
	17 Nov. „	14 July „	3,000 0 0	Lotakandy - - -	Ditto - - - -	

REGISTER of APPLICATIONS for WASTE LANDS under the Orders of the Governor General in Council, No. 4206, dated 15 August 1862, prescribed by the Supplementary Rules C. to Rules 4, in the Notification of the Government of Bengal, dated 30 August 1862.

1. Consecutive Numbers of the Applications in the Order in which they are made.	2. Dates of Applications.	3. Names and Residences of Applicants.	4. Numbers borne by the Plot on Register No. 1 of available Waste Lands.	5. Pergunnah Thannah, or other Local Sub-division in which situated.	6. Mougah.	7. Estimated Area of the Grant with its Boundaries or other descriptive Particulars.	8. Estimated Cost of Survey, clearances and Publication of Notification.	9. Date of the Amount in Column 8 being deposited.	10. Date of Completion of Survey.	11. Date of Issue of Notification of Sale at Collector's Office.	12. Date fixed for Sale.	13. REMARKS.
	1863:						*Rs. a.*	1863:				
6	7 Jan.	Mr. Julius Sandeman, Roskandy Tea Garden.	181	Chuttlahowar Thannah, Kylakandy.	–	E. Plain lands on the Balisure Nuddee. W. A continuation of the western Boundary of Grant No. 59, drawn southward. N. Grants Nos. 35 and 59 - S. Grants Nos. 29 and 60, containing about 2,000 acres.	500 15	10 Jan. -	–	–	–	Thirteen applications were registered up to date, but applications Nos. 1, 2, 3 4, 5, 8, 9, 10, 12 and 13 are struck off in default, and at the request of the applicants.
7	ditto	ditto - -	182	ditto - -	–	E. Mokachapree Bheel - W. A continuation of the western Boundary of Grant No. 59, drawn northward. N. Grants Nos. 1 and 83 - S. Grants Nos. 59 and 35, about 2,000 acres.	500 15	ditto -	–	–	–	
11	22 Jan.	Mr. C. H. Holmes, Merowa Tea Garden.	183	ditto - -	–	E. Neecolpore - - - W. A continuation of western boundary of Grant No. 18 drawn north and southward. N. Grant No. 18 - - S. Grants Nos. 1 and 83, 500 acres.	125 15	28 April	–	–	–	

Zillah Cachar, Superintendent's Office, 30 June 1863.

(signed) *R. Stewart*, Superintendent.

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Officiating Secretary to the Board of Revenue (No. 3093); dated 5 August 1863.

I AM directed to acknowledge the receipt of your Memorandum, No. 257, dated the 24th ultimo, and in reply to point out that the statements of waste lands in Cachar forwarded therewith, and intended for the Landowners' and Commercial Association, do not contain the full information which that body asked for. The various heads as noted in the margin,* on which information was

* Statement, No. 1.—Total number of applications for grants of waste land prior to 1 November 1861. Total number of grants made by the local officials on such applications, irrespective of confirmation or disallowance by the Revenue Board. Total area of the grants so made.

Statement, No. 2.—Total number of applications of all kinds, and under whatever rules, for grants of waste land, from 1 November 1861 till Sir Charles Wood's rules came into operation, locally, and date of such local operation. Total number of grants to which such applicants are consequently entitled. Total area which such grants will contain.

Statement, No. 3.—Total number of applications for waste land, from the date when Sir Charles Wood's rules came into operation, locally, till the date of the return. Total number of sales, either made, or to be made, in consequence. Total area comprised in such past or future sales.

was solicited by the Association, will be found clearly specified in their letter, dated the 27th of May last, a copy of which was transmitted to the Board with endorsement, No. 2288, dated the 5th of June following. To this letter the attention of the Board is therefore requested, and it is hoped that statements of the nature therein indicated may be furnished without much delay.

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 291); dated 13 August 1863.

With reference to the Under Secretary's letter, No. 3093, dated 5th instant, I am directed by the Board of Revenue to state that the Return from Cachar forwarded by endorsement, No. 257, dated 24th ultimo, was only an instalment of the information required. The particulars still wanting were called for on 28th June last, and will be submitted when received.

(No. 3277.)

Copy of the above, and of the Returns referred to, forwarded to the Acting Secretary to the Landholders' and Commercial Association for information, with reference to his letter dated the 27th May last.

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Junior Secretary to the Government of Bengal (No. 377); dated 9 October 1863.

In reply to your letters, Nos. 1703 and 2288, dated respectively 24th April and 5th June last, I am directed by the Board of Revenue to forward the following statements:—

No. 1. Waste lands applied for under new rules from date of promulgation to April 1863.	For Assam, dated 28th August.
No. 2. Applications for commutation to rent free of grants already held under former rules during the same period.	For Sylhet (No. 1 only) with letter from Commissioner of Dacca, No. 191, dated 25th September, and its enclosure from collector.
No. 3. Register of sales of waste lands.	
No. 4. Applications for grants prior to 1st November 1861.	For Assam, dated 29th August.
No. 5. Applications for grants subsequent to 1st November 1861 (not being under Resolution of 17th October 1861) up to date of new Rules coming into force.	For Cachar (Nos. 4 & 5 only) dated 10 August.

2. No. 2 Statement for Sylhet has not yet come to hand. No. 3 Statement for Cachar is blank. Copies of Nos. 1 and 2 for the same district have already been forwarded to Government and to the Landholders' Association, by endorsement under date 24th July last.

3. No applications for waste lands have been preferred in the Chota Nagpore Division, nor in the Shahabad District.

4. The Superintendent, Darjeeling, has not responded to the Board's call in respect of any of the Returns.

5. The statements, being generally voluminous, are forwarded in original. The Board suggest that they be sent on in original from your office to the Landholders' Association, with a request that they may be returned to the Board within a reasonable time.

— No. 6. —

Home Department.—Revenue.—No. 14 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

REFERRING to the concluding portion of paragraph 76 of your Despatch, No. 14 of 1862, dated the 9th of July, we have the honour to transmit for your information, copy of a communication* from the Government of Bengal, and of a full Report by the Board of Revenue on the extent to which arrangements have been made in the lower provinces for the purchase of waste lands, and the commutation of existing grants under the Resolution of this Government, dated 17 October 1861.

* No. 2084, dated 21 May 1863.

2. We also forward copies of the rules referred to by the Board in their Secretary's last paragraph, and of the Report in the case of Rundle *versus* the Secretary of State, of which mention is made in the 2d paragraph of the letter from the Government of Bengal.

We have, &c.
(signed) *R. Napier.*
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Fort William,
3 July 1863.

Enclosure 1, in No. 6.

Revenue.—No. 2084.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department.

Sir, Fort William, 21 May 1863.

IN continuation of the letter from this office, No. 471, dated the 28th January last, I am directed to forward herewith, for the information of the Honourable the President in Council, a copy of the Board's letter, No. 124, dated 2d instant, which contains a full report on the subjects of the purchase of waste lands and the redemption of the revenue.

2. I am also desired to annex the Board's Report † No. 69, dated the 14th March last, in the case of Rundle *versus* the Secretary of State, to which the Board have referred in paragraphs 11 to 13 of their present Report.

† In original. Return requested.

Enclosure 2, in No. 6.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 124); dated 2 May 1863.

Sir,

WITH reference to the Communications noted on the margin, I have now the honour, by direction of the Board of Revenue, to submit a full report on the applications made for purchase of waste lands, and for commutation of existing grants to freehold under the Resolution of the Supreme Government dated 17th October 1861; and of the steps taken on each.

Despatch of the Right Honourable the Secretary of State, dated 9 July 1862, para. 76. Government of Bengal to Board, No. 377 T., dated 30 August 1862.

2. A partial report on the subject was submitted on the 5th January last, but in your letter, No. 292, dated 16th January 1862, it was desired that the present report be made complete in itself.

3. In Sylhet the Commissioner reports that three applications were made; but of these it appears that two only were specifically under the Resolution of the 17th October 1861. One was made by Mr. C. Hudson, who applied for 200 acres in Kusbah Sylhet; it was found, however, that the land was not the property of Government. The second was an application by Mr. W. G. Howard, agent of the Sylhet and Cachar Tea Company, for 60,000 acres; as lots under the resolution were to be limited to a maximum area of 3,000 acres, the application was inadmissible, even had the local officers been authorized to act on the resolution at all. This has been pointed out to the Commissioner.

4. In Cachar it does not appear that any applications were made to purchase under the Resolution, but 25 applications were made for commutation to freehold of grants held under the old rules of 1854. These were simply filed pending the issue of orders by the Government of Bengal on the Resolution, no proceedings whatever being taken upon them.

5. In the Kamroop District 11 applications were made; these were merely registered, and no further steps taken regarding them. No applications to commute existing grants to rent-free were preferred in this disirict.

6. In Seebsaugor it appears from a statement submitted by the Commissioner that 35 applications have been made, in all of which notices have been issued at different dates. Possession has been given of 12 of the lots, and against 13 the Commissioner notes that they are "in dispute" with some parties other than the applicants, and that they will have to be sold by auction. The Commissioner evidently means that more than one party has offered to buy these lots, and that they must therefore be put up to auction at the upset price of an ordinary grant under paragraph 30 of the Resolution. In this district six applications have been made under the Resolution in question for commutation to rent-free of grants held under the old rules.

7. In Durrung one grant of 250 acres only has been applied for, on which no notice has yet been issued.

8. In Luckimpore it appears from the statement furnished that no applications for purchase of new lands have been made, but commutation to freehold of 36 grants held under the old rules has been claimed. Three of these embrace lands applied for by Colonel Reid, which the Board refused to recognize, as the applicant was a military officer; commutation of the rest is pending survey, which cannot be made quickly in consequence of the want of qualified Ameens.

9. The Board are not yet in receipt of a reply from Nowgong, but can no longer delay the submission of their report.

10. In his letter, No. 960, dated 6th September 1862, the Superintendent of Darjeeling wrote as follows:—

> "In reply to your circular No. 916, dated 23d August, I have the honour to inform you that no assignmennts have been made in this district under the Government of India Resolution of the 17th October 1861.
>
> "2. With reference, however, to clause 76 of the Despatch of the Secretary of State of the 9th of July 1862, which rules that the orders in question are not to have retrospective effect, and that the Board may be prepared for the claims which will doubtless be preferred on the grounds of 'arrangements already concluded,' I will detail all the instances in which any arrangements have been made by my predecessor, premising that, as the Board are by this time doubtless aware, an attempt will be made generally to prove that the reception of survey money gives the applicants a title.
>
> "3. On the 3d of January Mr. Dear paid the purchase money of 500 acres of land at Kinchintong, at *Rs.* 2. 8. an acre, in full 1,250 rupees, his application having been made on the 31st December 1861, under the Resolution of the 17th October 1861.
>
> "4. On the same date Mr. Rundle paid a similar amount for the same quantity of land in the same place.
>
> "5. On the 1st February 1862, Captain C. Murray, Officiating Superintendent, wrote to Captain Cornish, who had applied for 3,000 acres situated at Merick as follows:—'The usual assignment will be made on the land being surveyed. As there are no other applications made for the same, you can commence operations pending the above survey.' On the same date he wrote the same to Mr. F. N. Cornish, who had applied for 3,000 acres situated on the Setong Spur.
>
> "6. These are the only instances in which the price has been received or positive assurance of assignment given.
>
> "7. On the 11th December 1861, Dr. Campbell wrote to Mr. Jennings, who had applied for 2,000 acres situated in the Terai, that after survey 'the land, or as much of it as was available, should be granted.'
>
> "8. On the 26th November 1861, he wrote to Mr. Lindeman, who had applied for 100 acres situated on the new cart road towards Seelim, your application 'to that extent shall be complied with as soon as may be under the new resolution.'
>
> "9. On the 23d December 1861, Dr. Campbell called upon applicants by circular to pay in without delay 2 annas per acre towards the survey expenses—

And Messrs. David Cowie,	Troylucko Nath,
Southby,	Brine,
Scanlan,	Donoghue,
Mohamed Torikoolla,	Stalkart,

> complied with his order. Many other applicants for land paid bills for line cutting and survey submitted by Major Sherwill, Revenue Surveyor.
>
> "10. The ground on which all these applicants, and particularly those who have received positive assurance of assignment, ground their claims is that they have gone to considerable expense in making arrangements for the cultivation of the land of which they considered themselves the prospective owners."

11. The circumstances of Mr. Rundle's application are fully before the Government in connection with the suit which he has instituted in the High Court to enforce what he considers to be a contract entered into by Government to sell the land to him for *Rs.* 2. 8. an acre. From the statement of the case submitted with my letter No. 69, dated 14th March, the Government are aware that the suit was defended on the grounds that Dr. Campbell, Superintendent of Darjeeling, was never authorized to act on the Resolution of 17th October 1861; that he never intended to conclude any such bargain; and that he never gave Mr. Rundle

Rundle any guarantee whatever that he should obtain the land at *Rs.* 2. 8., the only communication made by Dr. Campbell to him being an acknowledgment of the receipt of 1,250 rupees, towards payment for the land, which sum Mr. Rundle had forwarded as full payment of the same at the rate of *Rs.* 2. 8. an acre.

12. The circumstances of Mr. Dear's application are believed to be similar to those of Mr. Rundle's.

13. Mr. Rundle's suit has been thrown out in the High Court on the technical point of want of jurisdiction; it will probably be re-instituted in another form.

14. On the above letter, No. 960, from Mr. Wake, the Government ordered* that no exception need be made to the issue of the advertisement required by paragraph 17 of the Resolution of the 17th October 1861. The effect of this order has been that, during the currency of the advertisement, second parties applied for most of the lots, which have been accordingly put up to sale by auction under paragraph 30 of the Resolution. Among these was the lot which had been first applied for by Mr. Rundle, which he himself bought in at auction for 20 rupees an acre, after which he instituted the suit to obtain the land at *Rs.* 2. 8. an acre.

* Government Order, No. 3112, dated 2 December 1862.

15. Before the lots were put up to sale, the Board represented to Government that many applicants had incurred considerable expense in clearance and cultivation, under the impression that they were quite safe in so doing with reference to the terms of the Resolution; and, in order to obviate the loss which persons who had so acted would suffer if their lands were put up to auction sale, the Board proposed that they should be allowed to retain their lands on a rent-free title at a fair price, not as of right, but as under a concession of Government. The proposition was acceded to in the Government Order dated 30th December, which allowed that all persons who had taken unauthorised possession of land in Darjeeling, and had commenced operations thereon, be given the option of retaining their land at 10 rupees an acre (being the lowest price at which the land could be sold under the Rules of 1859), or of allowing it to be sold by auction.

16. The offer was made to Mr. Rundle, and rejected.

17. In Midnapore six applications were received for purchase of waste lands in the Khurrukpore Khas Jungle. No notices have been issued.

18. In the Sunderbuns no applications for purchase were made, and three† only for commutation of existing grants to rent free.

†1. A. Burkinyoung.
2. Mr. A. Ballin.
3. Sheik Mahomed Gholam Hossen and Sheik Haro Hazee.

19. The Commissioner of Chota Nagpore has reported‡ that in the Lohardugga District three applications for lands made by different parties had been registered. The Board have, however, now before them a letter from the Deputy Commissioner to an applicant, from which it appears that not only was the grant registered, but that the most positive assurance of the safety of the title was given, on the faith of which the applicant has expended money in clearances. They propose to address the Government separately on this case, to which they will recommend that the principle adopted in Darjeeling (as mentioned in paragraph 15 above) be applied.

‡ No. 1541, dated 11 September 1862.

20. Their recommendation that the same concession be made in Assam, &c., is now before Government (No. 117, dated 25th April).

21. No applications, either for purchase of lands, or commutation of existing grants to rent-free tenures, appear to have been made, under the Resolution of 17th October 1861, in any other district within the Board's jurisdiction.

22. It appears to the Board that Rule 22 of their Circular Order No. 63, dated 14th October 1862, and its Supplementary Rule O., contain instructions sufficiently explicit for the guidance of local officers in the disposal of these cases.

EXTRACT from Circular Order of the Board of Revenue, Lower Provinces (No. 63); dated 14 October 1862.

O. ALL proceedings taken in conformity with the Resolution of 17th October 1861, will be recognised, and pending proceedings will be continued under the provisions of that Resolution. Where the application has only been made and registered, the next step will be the issue of the advertisement required by paragraph 17 of the Resolution; if the advertisement have already been issued, and the term of it have expired, the collector will proceed to give the applicant a certificate of allotment under paragraph 18, unless others have come forward with offers to purchase the land, in which case the lot must be put up to auction under paragraph 30 of the Resolution. In all such cases the sales will be regulated by the Rules laid down in the present Notification.

Rule 22. Lands for the purchase of which application has been made under the Resolution of the 17th October 1861, will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the law allows.

Enclosure 3, in No. 6.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 69); dated 14 March 1863.

Present: W. J. Allen, Esq. and E. T. Trevor, Esq.

With reference to the Order of Government, dated 30th December last, No. 3491, I am directed by the Board of Revenue to report that the offer of the waste lands in Darjeeling, which formed the subject of the protest from Mr. Dear at 10 rupees an acre, was not accepted, and the lands were put up to sale.

2. Mr. Dear had, it appears, assigned half of the land applied for to his partner, Mr. Rundle, and both these gentlemen purchased their own lots at the sale.

3. On the 16th February the Board received an intimation from the Solicitor to Government, to the effect that he had that day been served with a summons in a suit brought against Government by Mr. Rundle, "for the specific performance of a certain agreement for the sale of waste lands, for the execution of grant thereof, and for an injunction," and Mr. Sande applied for instructions for the defence of the suit.

4. As it was necessary to refer to Darjeeling for the documents and correspondence which it would be necessary to file in the defence, the solicitor was authorised to apply to the High Court for a month's time, guaranteeing that Mr. Rundle should not be pressed for payment of the balance of purchase money still due from him till the month should have expired.

5. On receipt of the superintendent's report, the Board furnished the solicitor with a memorandum of the line of defence to be adopted. A copy of this memorandum is forwarded for the present information of Government, as well as a copy of the Board's letter to the superintendent, No. 21, dated 3d March; the result of the suit will be duly reported.

Memorandum on Mr. *Rundle*'s Suit.

The superintendent of Darjeeling's letter, No. 211, dated 24th February 1863, to the Board of Revenue, details every step which was taken with regard to this land from the date of application for it by Mr. Dear (not Mr. Rundle) up to the sale of the lot by auction under the new rules, at which Mr. Rundle was the highest bidder, for the land at 10,000 rupees, being 20 rupees an acre.

2. The case of Government stands on the following grounds:—

(i).—That at the time when Mr. Rundle states that the lot was assigned to him, Dr. Campbell, then superintendent of Darjeeling, had no authority to assign waste lands to any person on any terms other than those contained in the rules,* dated 7th May 1859, which were then in force, and which provide for the sale of such lands by auction at an upset price of 10 rupees an acre. The resolution of the Supreme Government, dated 17th October 1861, in its last paragraph, authorised the Local Governments to act, as far as practicable, on the principles which it set forth; but no such authority was conferred on any officer subordinate to the Government of Bengal. The orders of the Supreme Government embodied in their Resolutions are communicated to the Local Governments to be acted upon by those Governments. It is universally and well known that no subordinate authority is expected or justified in acting on such resolutions until he receive specific orders to do so from his immediate superior, with such further instructions of detail as are considered necessary. In the present instance, when the time had come for the superintendent of Darjeeling to assign lands on the principles of the Resolution of the Supreme Government, (particular orders would have been communicated to him by his immediate superiors,) in the Revenue Department, the Board of Revenue, and that the Supreme Government did not in this instance contemplate any deviation from the established practice is apparent from paragraph 20, which distinctly recognises the necessity of rules of procedure being laid down by the Local Governments before their subordinates could act on the resolution. The arguments on this point are more fully given in a letter from the Government of Bengal to the address of the Board, No. 3491, dated 30th December 1862, and in the 5th and following paragraphs of a letter from the Secretary to the Government of India, in the Home Department, to the Secretary to the Landholders' Association, No. 3909, dated 2d August 1862.

* Copy of these Rules are annexed.

(ii).—Even had the superintendent of Darjeeling been authorised to act on the Resolution, no assignment made by him could have been valid, unless the conditions of the Resolutions had been strictly adhered to. Paragraph 17 of the Resolution provides that, before the assignment is made, the fact of the application having been put in shall be advertised "in the most customary and effectual manner for a term which probably need rarely exceed 30 days." The intention of paragraph 30 read with the above is clearly that any second person desiring to purchase the same land may signify his wish to do so, at any time, before the final assignment, *i.e.*, before the expiration of the term of the notification prescribed in paragraph 17; and that in the event of more persons than one wishing to buy the same tract, it may be put up to auction at the upset price of an ordinary grant. But the superintendent of Darjeeling, from whom Mr. Rundle professes to have derived his title to the land, never issued any such notice of the lot in question having been applied for; even, therefore, if he had assigned the land to Mr. Rundle, his proceeding would have been invalid.

(iii). But

(III.) But, in point of fact, there is no reason whatever to believe that Dr. Campbell ever intended to confer a title to the land on Mr. Rundle. The original application for the land was made spontaneously by Mr. Dear (through his agent Mr. Brive); Dr. Campbell, it appears, registered the application, but did not acknowledge its receipt. Subsequently Dr. Campbell, in his letter No. 1111, dated 23d December, refers to this as an application, but not as an assignment of land. On the 2d January 1862, Mr. Brive, on the part of Mr. Dear, paid into the treasury 2,500 rupees "for the 1,000 acres of land that he has applied for," and requested that the title-deeds of 500 acres be made out in favour of Mr. Rundle. The payment was unsolicited, and on the letter Dr. Campbell wrote an order to his office—"Send receipts *towards* payment of 1,000 acres," underlining* the word "*towards*," which is conclusive proof that he did not accept the money in full payment. The receipt to Mr. Rundle was worded accordingly. Had he considered himself as authorised to act under the Resolution, and had he intended to conclude the transfer of the land to Mr. Rundle at *Rs.* 2. 8. an acre, he certainly would not have taken such care that the receipts should declare the payment at the rate of *Rs.* 2. 8. an acre to be *on account* only. Further, that Dr. Campbell did not consider that he had granted the land is evident from his not reporting the grant to his superiors, which the 20th paragraph of the Resolution requires to be done immediately.

* Printed in italics.

(IV.) Thus it appears from the records that the applicant, Mr. Dear, received no intimation whatever (expressed or implied) from Dr. Campbell that his application for the land would be complied with, nor did Dr. Campbell in any way guarantee to Messrs. Dear and Rundle that the land would be assigned to them; and the receipts which he gave for their unsolicited payment, at the rate of *Rs.* 2. 8. an acre, distinctly express that no bargain had been made to sell the land at that price.

The statement made by Captain Murray, Assistant Superintendent (in his letter No 1432, dated 21st December 1862, written to Mr. Blunt in the absence of the superintendent), that the full amount of purchase-money had been paid for the land for which they had applied, was in direct opposition to the terms of Dr. Campbell's receipt for their payment.

(V.) Mr. Rundle and Mr. Dear having at their own peril taken possession of the land, and without authority commenced operations thereon, the Government (under the circumstances detailed in the Board's letter to Government, No. 412, dated 23d December 1862, and in the Government reply, No. 3491, dated 30th idem), out of consideration for the loss to which they had laid themselves open by their own rash act, offered to allow them to purchase the lands at the rate of 10 rupees an acre, the minimum price at which Darjeeling lands could be sold when they made their applications. The offer was rejected, and the market value of the land claimed by Mr. Rundle was shown to be 20 rupees an acre, that having been the highest bid made for it at the auction-sale.

Enclosure 4, in No. 6.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Superintendent of Darjeeling (No. 21); dated 3 March 1863.

Present: W. J. Allen, Esq., and E. T. Trevor, Esq.

I AM directed by the Board of Revenue to acknowledge the receipt of your letter No. 211, dated 24th February, and to forward for your information copy of a memorandum, in which the position of the Government with regard to the land claimed by Mr. Rundle is stated.

2. The Board regret much that you should have misled them and the Government by making a positive statement (in the 3d and 4th paragraphs of your letter No. 960, dated 6th September 1862) to the effect that the payment to Messrs. Dear and Rundle were in full, whereas the records of your own office showed that the payments were received in part-payment only by Dr. Campbell; and they trust that you will guard against the recurrence of any such want of accuracy.

3. I am further to draw your attention to Captain Murray's letter No. 1432, dated 21st December, to the address of Mr. Blunt. The Board consider the tenor of that letter to be most objectionable, as implying that Captain Murray considered that Messrs. Dear and Rundle had cause to complain of the course adopted by the Government towards them. The mention of the fact that those gentlemen "had paid him in the full amount of purchase-money" was quite unnecessary for the purpose of Captain Murray's letter, and was as uncalled for as it was unwarranted by the facts of the case. No expression of Captain Murray's views on the subject was required; and the Government will not tolerate that a public officer whose duty is only to carry out and communicate its orders, should supplement the communication by his own criticisms.

4. You are requested to call on Captain Murray to submit, for the consideration of the Board, any explanation which Captain Murray may wish to offer of his having written the letter in question.

5. The Board regret to observe also, from your letter No. 960, dated 6th September, that the only two cases in which formal permission was given to applicants to take possession of their land were those of Captain Cornish and Mr. Cornish, to whom this permission was given by Captain Murray during his short incumbency as Officiating Superintendent.

— No. 7. —

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1354); dated 1 April 1863.

I AM directed to acknowledge the receipt of your letter No. 69, dated the 14th ultimo, relative to the suit brought by Mr. Rundle against Government, for certain waste lands at Darjeeling, and in reply to state that the Lieutenant Governor considers the memorandum furnished by the Board to the Government Solicitor to be a clear and sufficient statement of the case.

— No. 8. —

COPY REVENUE DESPATCH to the Government of India (No. 26); dated India Office, 16 October 1863.

My Lord,

1. I HAVE to acknowledge the receipt of the letter from your Excellency's Government, dated the 3d July last (No. 14), with which is forwarded a Report, by the Board of Revenue, on the extent to which arrangements have been made in the Lower Provinces of Bengal for the purchase of waste lands, and the commutation of existing grants, under the Resolution of the 17th October 1861.

2. This Report does not appear to call for any observation from me at present.

3. In my Despatch of the 9th July last (No. 18), I referred to the application for grants of land in Darjeeling, and in particular to the suit instituted by Mr. Rundle, in the High Court, to enforce what he considers to be a contract entered into by the Government to sell to him the land for which he applied, at *Rs.* 2. 8. per acre, which land he subsequently purchased, at public auction, at the rate of 20 rupees per acre. The Board report that the suit has been thrown out in the High Court, on the technical ground of want of jurisdiction, but that it will probably be re-instituted in another shape.

4. I desire that I may be informed of any further proceedings that may be taken in this matter.

I have, &c.
(signed) *C. Wood.*

— No. 9. —

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal (No. 439); dated 15 December 1863.

I AM directed to request that you will obtain the immediate orders of the Honourable the Lieutenant Governor upon the accompanying reference, made to the Board of Revenue by the Officiating Solicitor to Government, No. 622, dated 11th instant, in regard to the executive powers of the Superintendent of Darjeeling.

2. As intimated in the 4th paragraph of my No. 9, dated 30th June last, the Board, upon a recent occasion, informed the Superintendent of Darjeeling, that his "Revenue powers" were, "speaking generally, those of a collector in a regulation district."

3. A collector in a regulation district and a collector in a non-regulation district are not, certainly, exactly on the same footing; the one is guided by the letter and the other by the spirit of the law. A collector in a non-regulation district may also have his powers curtailed or extended at the discretion of the Executive.

4. The Board, however, have no doubt that the Superintendent of Darjeeling has all powers given to a collector by the existing Waste Land Rules; indeed, in Rule 22 of the consolidated Rules recently published, under the approval of Government,

Government, with the Board's notification No. 83, dated 17th October 1863 (pages 2907 to 2924), this is definitively declared.

5. Analogously, the Board conceive that it must be admitted that, for all purposes connected with the grant of such lands under previous rules, the Superintendent's powers are those of a Collector; and, with the approval of the Lieutenant Governor, the Board will instruct the Officiating Solicitor to Government to admit the fact accordingly.

Enclosures in No. 9.

From *R. F. Stack*, Esq., Officiating Solicitor to Government, to *R. B. Chapman*, Esq., Secretary to the Board of Revenue (No. 622); dated 11 December 1863.

With reference to the suit instituted against Government by Mr. Rundle, I have the honour to request that you will let me know whether the Superintendent of Darjeeling is, and whether Dr. Campbell when Superintendent was, vested with the full powers of a Collector. The plaintiff's solicitor has intimated to me that he will have to subpœna the Lieutenant Governor and the Members of the Board as to this point, if it be not admitted.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4812); dated 21 December 1863.

In reply to your letter No. 439, dated the 15th instant, I am directed to inform you that the Lieutenant Governor agrees with the Board as to the powers of the Superintendent of Darjeeling, and the admission, as proposed, may accordingly be made. The Board will be good enough to instruct the Solicitor to Government accordingly.

— No. 10. —

Home Department—Revenue.—No. 20 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

In continuation of our Despatch No. 14, dated 3d July last, we have the honour to transmit copy of a further communication* from the Government of Bengal, submitting a statement of applications made for waste lands in Nowgong, under the Resolution of this Government dated the 17th October 1861.

* No. 3493, dated 8th instant.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
C. E. Trevelyan.
W. Grey.

Fort William, 21 September 1863.

Enclosure 1, in No. 10.

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 271); dated 6 August 1863.

Sir,

In continuation of the Board's letter No. 124, dated 2d May last, and with reference to paragraph 9, I am directed by the Board of Revenue to forward herewith a Statement of applications made for waste lands in Nowgong, under the Resolution of 19th October 1861.

2. Of the 21 applications entered on the statement, it appears that Nos. 13 and 17 were withdrawn; that in No. 5 no measures for survey, &c., were taken by the applicant, nor in Nos. 1 and 8, in consequence of there being no surveyor available; that Nos. 4, 6, 7, and 12 were rejected, and that Nos. 2, 3, and 20 have since been disposed of under the old Rules of 1854. The disposal of five other applications (Nos. 9, 10, and 14 to 16) depended on the orders in Mr. Richardson's case, which formed the subject of the correspondence noted on the margin. This correspondence resulted in allowing Mr. Richardson to hold Nos. 9 and 10 under the Rules of 1854.

To Government, dated 25 April last, No. 117.
From Government, dated 14 May, No. 1976.

3. The only cases in which any steps would appear to have been taken in consequence of the applications are Nos. 11, 18, 19, and 21. In all these cases permission to clear was given, and an Ameen deputed to make the survey. It is not clearly stated whether the advertisement required by paragraph 17 of Lord Canning's Resolution was issued in these cases. Inquiry will be made on this point.

STATEMENT showing the APPLICATIONS which distinctly specify that the Land was applied for under the Rules of the 17 October, or that it was not applied for under any other, as required in the Second Paragraph of Letter No. 64, dated 12 May 1863, from the Board of Revenue to the Commissioner of Revenue, Assam.

Number.	Date of Application.	Name of Applicant and Resident.	Name of Mehal.	Names of Mouzah in which the Grant is situated.	Area of the Grant.	Boundaries of the Grant.	Purpose for which the Grant is required.	Date of Advertisement.	Name of other Applicants, if any.	Application Refused or Sanctioned.	Date of Board's Sanction.	REMARKS.
1	28 Oct. 1861	Mr. R. Spears, Negree Ting.	Murungee -	Nadolan -	800 acres -	North Pathar, South Damgang, East Forest, West Village road.	Tea cultivation.	13 Mar. 1862	None -	Sanctioned by the Collector.	None, A. -	A. This grant is still unsurveyed, as there is no surveyor in the subdivision of Golaghat. A notice has been issued in the "Calcutta Gazette," requiring the services of five surveyors. No application has yet been received with reference to the notice.
2	7 Nov. ,,	Mr. G. Williamson, Bengend Roop Factory.	Ditto - -	Luckley -	504 acres, 2 roods, and 25 perches.	East Dhunsiree River, West Rangajan, North Hubekah, Madalooah, and Seemoloo Trees, South Thakorah, Dewah, and Kakaloo Trees.	Ditto -	- -	- -	Ditto -	None, B. -	B. Papers submitted to the Board of Revenue on the 15th May 1863.
3	16 Jan. 1862	Mr. R. Lyell, Pertabghur Factory.	Koliabur and Chaporee.	Oojan Rungagurah.	369⅓ acres -	North Government road leading to Golaghat, East Meesa Nuddee, South and West lines drawn through the jungle parallel to the Northern and Eastern boundaries.	Ditto -	17 Feb. 1862	None -	Ditto -	13 May 1863, C.	C. This grant has been made under the old Rules of the 23d October 1854.
		Ditto - -	- -	Sakmothee -	144 acres -	North Government road, South Mikir Hill, called Chikolee Purbut; East a line parallel to the Western boundary, West the Ryot's cultivation.	Ditto -	Ditto -	None -	Ditto -	Ditto, D. -	D. - Ditto - - ditto.
4	28 Feb. ,,	Mr. T. Gibbon, Calcutta.	Morungee	- -	3,000 acres	East Dhunsiree River, South by Doondkata Nuddee, West by a line to be defined by surveyors.	Ditto -	None - -	None -	Not sanctioned.	None, E. -	E. This application rejected, as the grant is a part of the Government reserved Namber Forest.
5	3 Mar. ,,	Mr. J. Martin, Golaghat.	Ditto -	Ronghalighur	1,000 acres	North Burtamoolee Hollah, South Government road, East Runghalighur or Embankment, West Ecrabaree Dhap.	Ditto -	18 Mar. 1862	None -	Sanctioned -	None, F. -	F. No measures taken by the applicant for the grant being surveyed, as he lodged no survey expenses, although he was requested to do so a long time ago.
6	13 Mar. ,,	Mr. J. P. Wise, Calcutta.	Ditto -	- -	3,000 acres	On the South by Burpathor or Burphootoong, East Dhunsiree River, North a line to be fixed halfway betwixt the Dhoonkata Nullah, and on the West by a line to be fixed by the Government Surveyor.	Ditto -	None - -	None -	Not sanctioned.	None, G. -	G. This application has been refused, as the land is a part of the Government reserved Namber Forest.
7	13 Mar. ,,	Mr. J. Halliday, Calcutta.	Ditto -	- -	3,000 acres	North by the Dhoonkata River, East by the Dhunsiree River, South by a line to be determined halfway between.	Ditto -	None - -	None -	None - -	None, H. -	H. - Ditto - - ditto.

8	24 April 1862	Mr. A. Wallace -	Morungee -	- -	3,000 acres	North Dallagan, South Hateepuatee, or Wild Elephant Tracts, East Baleegan, West by Gatovongajan.	Tea cultivation.	- -	None -	Sanctioned -	None, I. -	I. This has not been surveyed, as there is no surveyor in the subdivision of Golaghat.
8	24 April „	Ditto - -	Ditto -	Dhallah -	250 acres -	North Duligan, South a straight line bearing westerly from the Gorungajan, East Gorungajan, West a straight line bearing southward from the Dallajan, a sufficient distance to give the required area.	Ditto -	- -	None -	Ditto -	- - J. -	J. - Ditto - - ditto.
9	25 April „	Mr. J. S. Richardson.	Mikirpar -	Suppanalah -	100 acres -	North by a piece of Forest, South and West by Suppanullah Tea Stream, East by a large Tea cultivation.	Ditto -	None - -	Mr. J. Herriot, on the part of Mr. G. R. Barry.	Not sanctioned.	None, K. -	K. This is pending unsurveyed till the receipt of final orders from the Board on the appeal of Mr. Richardson.
10	25 April „	Ditto - -	Ditto -	Salanah -	100 acres -	North by Haroodulpathar, South by Halalgangpather, East by Jatiapather, West by a piece of Forest.	Ditto -	None - -	Ditto -	Ditto -	None, L. -	L. - Ditto - - ditto.
11	26 April „	Mr. J. S. Richardson, on the part of Mr. G. R. Barry.	- -	- -	250 acres -	North by Oodmareepathar, South by Hills, East by Suddaseeb Purbut, West by the Nanoc stream.	Ditto -	26 Feb. 1862	None -	Sanctioned -	- - -	M. Possession given on the 26th January 1863; Ameen deputed to survey it on the 28th March 1863; Ameen tested the survey on the 10th of April 1863. The Ryots of the Mouzah having objected to the Sudaseeb Purbut being made the eastern boundary, as it includes some of their cultivated lands, Mr. J. Phillips, on the part of Mr. Barry, has been requested to exclude the Ryot's cultivated lands from the grant, and to remove the boundary to some other place. No reply to this communication has yet been received.
12	15 May „	Mr. Ryme - -	Morungee -	Rangalighur	1,000 acres	North Burtamoolee Hoolah, South by the Government road to Upper Assam, East by Rangoleeghur, and West by Errabarree Dhap.	Ditto -	None - -	None -	Not sanctioned.	None, N. -	N. This is the same grant as that applied for by Mr. J. Martin, of Golaghat. Mr. J. Ryme's application was rejected, as it was made after the expiration of the thirty days' advertisement of the application of Mr. Martin.
13	24 May „	Mr. C. W. Stewart, on behalf of Mrs. H. D.	- -	Ditto -	1,500 acres	North by Forest land, South by Government road, East by the Deo Doobhee Jan, and West by Palkhawajan.	Ditto -	None - -	None -	Ditto -	None, O. -	O. This application was withdrawn by the applicant on the 27th August 1862.
13	24 May „	Ditto - -	Morungee -	Ditto -	1,500 acres	North by Forest land, South by Government road to Upper Assam, East by Desoonjan, and West by Serangjan.	Ditto -	None - -	None -	None - -	None, P. -	P. - Ditto - - ditto.
14	7 June „	Mr. J. Herriot, on the part of Mr. G. R. Barry.	Mikirpar -	Suppanullah	100 acres -	North by Forest land, South by Suppanullah, West by Suppanullah, East by a large Tree.	Ditto -	None - -	None -	None - -	None, Q. -	Q. This is the same grant as that applied for by Mr. J. S. Richardson. No order has been passed pending the receipt of the final order from the Board of Revenue to the appeal made by Mr. Richardson.
15	7 June „	Ditto - -	Ditto -	Solanah -	100 acres -	North by Haroodulpather, South by Halalgang, East by Juttiapather, West by Forest land.	Ditto -	None - -	None -	None - -	None, R. -	R. - Ditto - - ditto.

STATEMENT showing the Applications which distinctly specify that the Land was applied for under the Rules of the 17 October, &c.—*continued.*

Number.	Date of Application.	Name of Applicant and Resident.	Name of Mehal.	Names of Mouzah in which the Grant is situated.	Area of the Grant.	Boundaries of the Grant.	Purpose for which the Grant is required.	Date of Advertisement.	Name of other Applicant, if any.	Application Refused or Sanctioned.	Date of Board's Sanction.	REMARKS.
16	16 June 1862	Mr. J. Phillips, on the part of Mr. G. R. Barry.	Mikirpar -	Solanah -	500 poorahs, or 666⅔ acres.	East by Jatiapathar, West by Nownari, North by Deejoo Nari, South by Salonah Purbut.	Tea cultivation.	14 Feb. 1863	Mr. J. S. Richardson.	None -	None, S. -	S. This application cannot be submitted to the Board for sanction until the final order to Mr. J. S. Richardson's appeal is received, as it includes the land applied for by Mr. Richardson, and objected to by Mr. J. Herriot.
17	11 Aug. „	Mr. J. Wallace -	Morungee -	Kaliany -	1,500 acres -	North by Doomdoomeeah Burrahtong, South by Sulah Beel, East by Daygooree, West by Hateesoonjypathar.	Ditto -	None -	None -	None -	None, T. -	T. This application was withdrawn by the applicant on the 9th February 1863.
18	25 Aug. „	Mr. M. Bronson -	Jamoonamookh	Balegang -	500 poorahs, or 666⅔ acres.	North by Karookanee Jungle, South by Burratanee Jungle, skirting the bank of the Navoe, West by the Rurolla Tank, East by the Korookanee Jungle beyond the Matan Tank.	Ditto -	2 Mar. 1863	None -	Sanctioned -	None, U. -	U. This grant has been surveyed; the application will be submitted to the Board for sanction as soon as the survey is tested. Permission was given to clear on the 13th May 1863.
19	21 Oct. „	Mr. J. S. Richardson.	Mikirpar -	Niz Bamoonee	500 poorahs, or 666⅔ acres.	None - - - - - - - -	Ditto -	26 Feb. 1863	None -	Ditto -	None, V. -	V. Permission was given to clear on the 1st December 1862; Ameen deputed to survey on the 10th March 1863; Ameen deputed to test the survey on the 18th April 1863. This application will be sent to the Board for sanction as soon as the measurement papers of the Ameen deputed to test the survey are received.
20	2 Sept. „	Mr. J. Stephen, on the part of Messrs. Sunders & Reed.	Datipar -	Kholah -	634 acres -	North by Grass Jungle, South by Tanti Hills, East by Joranee, West by Umzooree.	Ditto -	6 Sept. 1862	None -	Ditto -	None, W. -	W. This grant has been made under the old Rules of the 27th October 1854.
21	2 Sept. „	Ditto - -	Ditto -	Dokhin Nelly	300 acres -	North by Goramani Hills, South by Jooree on Hill Stream, East by Jungle, West by the Carogatteegang.	Ditto -	6 Sept. 1862	None -	Ditto -	None, X. -	X. Permission was given to clear on the 20th February 1863; Ameen deputed to survey on the 20th January 1863; survey completed on the 25th February 1863; Ameen deputed to test survey on the 20th March 1863. This application will be submitted as soon as the map returned for correction is received.

Deputy Commissioner's Office, Zillah Nowgong,
8 June 1863.

[Exd. C. Barlow.]

W. H. Brownlow,
Extra Assistant Commissioner, in charge of Nowgong.

— No. 11. —

Home Department—Revenue.—No. 21 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G. C. B., Secretary of State for India.

Sir,

REFERRING to your Despatch No. 14, dated the 18th June last, we have the honour to forward the accompanying copies of Reports* from the Officiating Chief Commissioner of the Central Provinces and the Resident at Hyderabad, showing that no sales of waste lands have yet been effected, either in the Central Provinces or in the Hyderabad Assigned Districts. To the latter territory indeed the orders of general application for the sale of waste lands have not been extended.

* From Foreign Department, No. 263, dated 10 Sept. 1863. Ditto ditto, No. 268, dated 15 Sept. 1863.

2. Copies of the Reports expected from the Local Governments and other minor Administrations will be forwarded as soon as they are received.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
C. E. Trevelyan.
W. Grey.

Fort William,
21 September 1863.

Enclosure 1, in No. 11.

From *H. Rivett-Carnac*, Esq., Assistant Secretary to the Chief Commissioner, Central Provinces, to *E. C. Bayley*, Esq., Officiating Secretary to Government of India, Foreign Department, at the Presidency (No. 3761); dated Nagpore, 25 August 1863.

WITH reference to your circular docket No. 236, dated 13th current, calling for a full and complete Return of sale of waste lands in the Central Provinces, I am desired by the Officiating Chief Commissioner to communicate, for the information of the Honourable the President in Council, that no absolute sales of waste lands have yet been fully completed in these provinces.

Enclosure 2, in No. 11.

From *G. U. Yule*, Esq., C. B., Resident at Hyderabad, to *E. C. Bayley*, Esq., Officiating Secretary to the Government of India, Foreign Department, at the Presidency (No. 4); dated 26 August 1863.

IN acknowledging the receipt of circular, No. 236, dated the 15th August 1863, calling for Returns of the extent of waste land sold by the Government of India in each of the years since 1857, I beg to state that it having been ruled† that the order regarding the sale of waste lands was not applicable to the Hyderabad Assigned Districts, no such sales have been effected.

† Government Letter, Foreign Department, No. 64, dated 11 February 1862.

— No. 12. —

Home Department—Revenue.—No. 22 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G. C. B., Secretary of State for India.

Sir,

IN continuation of our letter No. 20, dated the 21st ultimo, we have the honour to transmit for your information a copy of the papers noted in the margin,‡ showing the extent of the arrangements made in British Burmah, the Punjab,

‡ From Chief Commissioner, British Burmah, to Secretary with Governor General, No. 48, dated 28 February 1863.
From Government of the Punjab, No. 421, dated 14 May 1863, and enclosure.
From ditto, No. 546, dated 16 June, and enclosure.
From the Chief Commissioner of Oudh, No. 2724, dated 15 September 1863.

Punjab, and Oudh for the sale of waste lands and the redemption of the land revenue, under the terms of the Resolution of this Government dated 17th October 1861.

2. The Reports from the North-Western Provinces and from Mysore will be forwarded to you when received.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
C. E. Trevelyan.
W. Grey.

Fort William,
2 October 1853.

Enclosure 1, in No. 12.

From Lieutenant Colonel *A. P. Phayre*, Chief Commissioner of British Burmah, and Agent to the Governor General, to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department (No. 48); dated Rangoon, 28 February 1863.

I HAVE the honour to acknowledge the receipt of circular letter No. 480, dated 30th August last, calling for a report upon certain points therein referred to, relative to the sale of waste lands, under the Resolution of Government dated the 17th October 1861, and the redemption of land revenue.

2. There has been one sale of waste lands under that Resolution, in the district of Prome: 612 acres were sold to a Burmese.

3. There have been no applications for the redemption of the land revenue, except for town-lots, in the town of Moulmein, under the instructions conveyed in your letter No. 20, dated 11th January 1862, to the address of the Commissioner of the Tenasserim and Martaban Provinces.

Enclosure 2, in No. 12.

From *W. Kirke*, Esq., Assistant Secretary to Government of Punjab and its Dependencies, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 421); dated Lahore, 14 May 1863.

WITH reference to your letter No. 4206, dated 15th August last, and subsequent reminders, I am directed by the Honourable the Lieutenant Governor to submit herewith copies of two statements prepared by the Financial Commissioner, showing (1) the extent of waste lands in the Punjab sold under the orders of October 1861, and (2) of lands of which the revenue has been redeemed.

2. The revised rules regarding sale of waste lands, referred to in your 12th paragraph, were published in the "Punjab Gazette" of the 14th and 21st January last, and republished in the "Calcutta Gazette" of the 24th idem.

3. The reply of the Financial Commissioner has not yet been received in regard to those districts of the Punjab which are believed to be sufficiently advanced for a perpetual assessment. A report on this important subject will be submitted hereafter.

STATEMENT of Sale of WASTE LANDS in the *Punjab*.

DIVISION.	District.	Pergunnah.	Mouzah.	Name of Purchaser.	Area.	Amount for which Sold.	REMARKS.
						Rs. a. d.	
awul Pindee	Goojerat	Goojerat	Goolabghur	Meerae Buksh, Sooltan Shurrap and Sooltan (Moost).	155 0 34	842 13 –	These plots were sold on the 30th April 1862, but the purchasers have not yet been placed in possession pending the grant of sunuds, which have been submitted for the signature of the Punjab Government; *vide* this Office, No. 396, dated 6th May 1862, to the address of Commissioner.
		Ditto	ditto	Akram, Ameera and Chowgutta.	192 0 34	780 – –	
			TOTAL		347 1 28	1,622 13 –	
Iooltan	Mooltan		Arbee-Siddoo, Hissain Bukher and Arbee Boohapore.	E. Hughes, Esquire, Civil Engineer.	125 0 0	367 8 –*	Sale sanctioned; and deed for extension of the Waste Rule, granted 23d August 1862.
			TOTAL		125 0 0	367 8 –	* Includes 55 rupees on account Date-fruit assessment.
ahore	Lahore		Rukh Asulkuth	Emam Bux and Chunmum Deen.	272 0 0	3,050 – –	Put up to auction, and sold on the 6th June 1862, under sanction of Financial Commissioner, conveyed under Commissioner's No. 287, dated 29th April 1862; 10 per cent. purchase money paid in; balance being paid up; sunuds forwarded for signature of Punjab Government; average sales per acre 13–4; Deputy Commissioner's Statement, dated 16th September 1862.
			Ditto	Nubee Bux Lumberdar	391 0 0	5,029 – –	
			Ditto	Mela Ram	176 0 0	2,105 – –	
			Ditto	Julaldeen, Mela Ram and Swala Suhae.	416 0 0	6,400 – –	
			TOTAL		1,255 0 0	16,575 – –	
Imritsur	Umritsur	Ajuala	Rukh Rey	Mr. H. Cope	406 0 0*	2,375 – –	* Culturable land – – 322 Unculturable land – 84
		Ditto	Rukh Shahpore	ditto	248 0 0†	1,650 – –	† Culturable land – – 220 Unculturable land – 28
			TOTAL		654 0 0	4,025 – –	These two rukhs were sold on the 21st June 1862; possession given and sunuds made over.
mballah	Loodiana	Pukkowal	Rae Kote	Not stated	18 0 0	70 – –	Sold by auction, ultimately confirmed by Financial Commissioner; *vide* No. 2273, dated 17th June 1862, and subsequent correspondence.
			TOTAL		18 0 0	70 – –	
	Simla	Hurraree	Kotghur	Mr. S. Berkeley	29 0 0	72 8 –	Granted by Lord W. Hay, Superintendent, Hill States, for tea cultivation in October 1856.
	Ditto	ditto	ditto	ditto, and Church Mission grants.	500 0 0	1,250 – –	Ditto – ditto, August 1857.
	Ditto	ditto	Jhandar at Koteghur	Mr. S. Berkeley	3 0 0	8 – –	Ditto – ditto, December 1860.
			TOTAL		532 0 0	1,330 8 –	Sales sanctioned by Government, No. 399, dated 4th March 1863.
Illunder	Jullunder Hoshiarpoor	Nil.					
	Kangra	not stated	Girah	Captain Bracken	250 0 20	350 – –	
			Bumarah	Captain Younghusband	223 3 20	1,000 – –	
			Bundevi	Captain Duff	284 2 5	1,850 – –	
			Bandi	Captain Duff	296 3 10	800 – –	
			Kundee	Captain Duff	168 2 25	650 – –	
			Raepore	Mr. Ballard	152 3 15	400 – –	Sanctioned by Government, No. 94, dated 2d February 1863.
			Thundhol	Mr. Judd	64 3 20	350 – –	
			Bhuttoo	Captain Fitzgerald	114 0 0	143 – –	
			Sunsal	Dr. Crawford	194 0 0	250 – –	
			Dewal	Dr. Crawford	146 2 10	200 – –	
			Leanode	Dr. Crawford	60 0 0	350 – –	
			Leanode	Dr. Crawford	190 0 0	500 – –	
			Leanode	Dr. Crawford	200 0 0	600 – –	
			Leanode	Dr. Crawford	250 0 0	500 – –	
			TOTAL		2,596 1 5	7,943 – –	
			GRAND TOTAL		5,527 2 33	31,933 13 –	

ahore, 9 May 1863.

(signed) *F. E. Moore*,
Personal Assistant for Financial Commissioner of Punjab.

STATEMENT of Redemption of LAND REVENUE in the *Punjab*.

DIVISION.	DISTRICT.	Name of Applicant.	Land where Situated.		Quantity of Land in Acres.	Annual Juma of the Land.	Amount of 20 Years' Rent.	Road Fund, Putwaris' Fees, &c.	REMARKS.
			Mouzah.	Pergunnah.		Rs. a. p.	Rs. a. p.	Rs. a. p.	
Hissar	Hissar	Mr. A. Skinner	Hansi	Hansi	12 0 0	13 – –	260 – –	– –	Sanctioned by Financial Commissioner's No. 1553, dated 29th April 1862.
		Estate of the late Colonel Skinner.	Hansi	Hansi	16 0 0	16 8 –	330 – –	– –	
		Skinner Estate (6 shares)	Budohal	Agroha	7,717 0 0	630 – –	12,600 – –	– –	Ditto, ditto, No. 1546' dated 24th *idem*.
				TOTAL	7,745 0 0	659 8 –	13,190 – –	—	
Lahore	Lahore	Davidit Pershad	Moomunpoora	– –	137 0 0	29 8 –	587 14 4	2 10 1	Purchase money paid. Redemption sanctioned under Financial Commissioner's No. 2916, dated 1st August 1862.
		Davidit Pershad	Mudsoodunpoor	– –	37 0 0	23 – –	460 – –	1 2 6	
		Kour Nirunjun Nath	Umurkot	– –	161 2 13	40 – –	800 – –	3 9 8	
		Agent, Punjab Railway	Mianmir	– –	13 2 7	10 8 –	210 – –	1 1 1	Ditto, ditto, No. 2865, dated 29th July 1862.
				TOTAL	349 0 20	103 – –	2,057 14 4	—	
	Ferozepore	Pir Mahomed Ali Khan	Sadhinwala (entire)	Ferozepore	417 0 0	119 – –	2,380 – –	– –	Deputy Commissioner's statement, dated 6th September 1862.
		Teloo Mull	Loothbar (entire)	Ferozepore	275 0 0	180 – –	3,600 – –	– –	
				TOTAL	692 0 0	299 – –	5,980 – –	—	
Umballah	Simla	Mr. S. Berkeley	At Kotghur, called Mandar.	– –	22 0 0	15 15 3	319 1 –	– –	Sanctioned by Government, No. 399, dated 4th May 1863.
		Mr. S. Berkeley	Ditto	– –	2 0 0	2 4 6	45 12 –	– –	
		Mr. S. Berkeley	Ditto, called Kaheenee	– –	2 0 0	– 6 3	7 13 –	– –	
				TOTAL	26 0 0	18 10 –	372 10 –	—	
				GRAND TOTAL	8,812 0 20	1,080 2 –	21,600 8 4	—	

(signed) *F. E. Moore*,
Personal Assistant, for Financial Commissioner of Punjab.

9 May 1863.

Enclosure 3, in No. 12.

From *T. D. Forsyth*, Esq., Officiating Secretary to the Government of Punjab, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 546); dated 16 June 1863.

In continuation of No. 421, dated 14th May last, forwards for information, copy of a letter from Financial Commissioner, together with a supplementary statement showing the sale of waste lands in the Goojranwalla district.

Copy of a Letter from Financial Commissioner to the Secretary to the Government of Punjab (No. 356); dated 10 June 1863.

In continuation of my docket No. 295, dated 9th ultimo, I have now the honour to submit a supplementary statement* of lands sold under the orders of October 1861.

2. The statement now submitted contains a return of the lands disposed of in the Goojranwalla district, which has only now reached me; and I beg to express my regret that the fact of this being due was overlooked when the general statement was forwarded.

* Statement of waste lands sold in the Goojranwalla district.

Statement of Sale of certain Waste Lands in the Goojranwalla District, as called for in Financial Commissioner's Circular (No. 64); dated 27 August 1862: and Commissioner's Circular (No. 189); dated 2 September 1862.

Tehseel.	Name of Village.	Quantity of Land.	Amount for which Sold.	REMARKS.
			Rs. a. p.	
Goojranwalla -	Tulwundie Raemwalee	1,919 0 0	9,000 – –	Sold to Goolab Rae Khuttree, Tehsildar and Jagheerdar, resident of city Wuzeerabad, and half to Amir Buksh, resident of Goojranwalla.
Ditto - -	Chuck Hurreechund -	640 0 0	2,450 – –	Sold to Unoop Singh Resaldar, resident of Kot Sherah.
Hafizabad - -	Chuch Salole - -	1,363 0 0	4,089 – –	Sold to Sirdar Jhunda Singh, Jagheerdar, Magistrate, Bootala. The wood was sold for 95 rupees, total amount realised 4,184 rupees.
Ditto - -	Chuck Kurkund -	100 0 0	270 – –	Sold to Mulla Zaildar and Soonah Lumberdars.
Ditto - -	Chuck Bhagoo - -	50 0 0	175 – –	Sold to Lall Ziladar Ismael and Shahzada.
Ditto - -	Ditto - - -	100 0 0	250 – –	Sold to Lukhun Shahdad.
zeerabad -	Bhyukee - - -	685 0 0	3,700 – –	Sold to Dhunnoo Shah, commissariat contractor, resident at Sealkote.
Ditto - -	Akalghur Chucher -	1,736 0 0	2,800 – –	Sold for 2,001 rupees, total amount 4,801 rupees.
	Total - - -	6,594 0 0	22,734 – –	

Goojranwalla, 31 March 1863.

(signed) *P. W. Powlett*, A.C., for Deputy Commissioner.

Enclosure 4, in No. 12.

From Major *J. Reid*, Secretary to the Chief Commissioner of Oudh, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 2724); dated Lucknow, 15 September 1863.

In reply to your letter No. 5687, dated 8th instant, I am directed to forward the enclosed return showing the sales of waste land under the late Governor General's rules extracted from the annual report for 1862-63. This return is more correct than that forwarded with letter No. 2,993, dated 22d November last, to the Foreign Secretary, copy of which should have been furnished to you with my letter No. 1895, dated 4th July last, but which I regret to observe was not sent. A copy is now forwarded.

2. A return of the extent of waste land sold, called for in your letter No. 4582, dated 24th July (received through the Foreign Secretary), has been called for, and will show separately the extent to which waste lands have been sold under the terms of the Resolution of 17th October 1861.

3. No arrangement has been made for the purchase of any land except what has been sold, and no land revenue has been redeemed.

RETURN of Waste Lands Sold under Lord *Canning*'s Rules.

DISTRICTS.	Under Lord Canning's Rules.		
	No. of Grants.	Area in Acres.	Price.
			Rs. a. p.
Lucknow	—	—	—
Oonao	—	—	—
Durriabad	—	—	—
Roy Bareilly	—	—	—
Seetapore	5	3,595	30,835 12 –
Hurdui	6	5,170	11,314 – –
Mohumdee	2	10,598	26,933 11 –
Baraitch	—	—	—
Fyzabad	—	—	—
Gondah	1	1,502	—
Sultanpore	—	—	—
Pertabghur	1	4,844	9,243 4 –
TOTAL	15	25,709	78,326 11 –

N.B.—In Pertabghur the exact area of unculturable waste was known from the professional survey; in other districts a deduction of one-eighth was allowed. The grant in Pertabghur was given in 1859 under the Chief Commissioner's rules, and commuted under Lord Canning's.

(signed) *J. Reid*, Major,
Secretary to the Chief Commissioner of Oudh.

(B.)

STATEMENT showing the Extent to which the Sale of Waste Lands has been effected in the Three Districts of the Khyrabad Division during the period in which the Rules for the sale of Waste Lands have been in force.

No.	Pergunnahs.	Names of Grantees.	WASTE LANDS.		Total Amount of Purchase Money.	Rate per Acre.
			Names by which Known.	Area in Acres.		
				More or Less.		
			Zillah Seetapore.		*Rs. a. p.*	*Rs. a. p.*
6	Baree	Hurpurshad	Khairundeshnugger	812	2,030 – –	at 2 8 – per acre.
7	Seetapore	Mr. F. St. C. Williams	Ailea	700	1,750 – –	Ditto.
			Bhelawan	600	1,500 – –	
			Bhowaneepore	600	1,500 – –	
10	Misrick	Moorley Monohur and Jawahir Sing.	Kutgurah	1,700	25,500 – –	at 15 – – ,,
11	Seetapore / Misrick	Lieutenant H. A. Smith	Hemapore	1,350	13,331 4 –	at 9 13 3⅕ ,,
			Moorielly	860	4,300 – –	at 5 – – ,,
			Gwalee	738	4,797 – –	at 6 8 – ,,
			Gungapore	806	3,627 – –	at 4 8 – ,,
			Burmhee	1,000	3,500 – –	at 3 8 – ,,
			TOTAL	9,166	61,835 4 –	at 6 11 11¼ ,,
			Zillah Hurdui.			
1	Bawan	Mr. H. M. Daniell	Kounda	1,200	2,625 – –	at 2 3 – ,,
2	Gopamow	Mr. Rees	Hurraie Byjnath	812	1,778 12 –	at 2 3 –½ ,,
3	Ditto	Lalla Manick Chand	Jasoo Juggernath	800	1,750 – –	at 2 3 – ,,
4	Ditto	Lalla Manick Chand	Sundla	812	1,778 12 –	at 2 3 –½ ,,
5	Ditto	Mr. Rees	Neer	578	1,264 6 –	at 2 3 – ,,
6	Ditto	Lalla Manick Chand	Batair	968	2,117 8 –	at 2 3 – ,,
7	Sundeela	Chowdry Hushmuth Ally	Kaseemabad	635	1,388 13 –	at 2 3 – ,,
			TOTAL	5,805	12,703 3 –	at 2 3 –
			Zillah Mohumdee.			
1	Bhoor	Messrs. Thomas Menzies and Paterson Saunders.	Adjacent to Kishenpore Mugahie.	10,000	21,875 – –	at 2 3 – ,,
2	Ditto	Ditto	Roy Rada	—	—	—
3	Hyderabad	Mr. John Powell	Adjacent to Kurrata	2,112	5,509 11 –	at 2 9 9 ,,
			TOTAL	12,112	27,384 11 –	at 2 4 2 1/16 ,,
			GRAND TOTAL	27,083	101,923 2 –	at 3 12 2½ ,,

(signed) *J. Reid*, Major,
Secretary to the Chief Commissioner of Oudh.

— No. 13. —

Home Department, Revenue.—No. 23 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 8 October 1863.

In continuation of our Letter No. 21, dated the 21st ultimo, we have the honour to transmit the accompanying Report from the Superintendent of Coorg, showing that no sales of waste lands have been effected in that district.

We have, &c.,
(signed) *H. B. Harrington.*
C. E. Trevelyan.
W. Grey.

Enclosure 1, in No. 13.

From Captain *R. N. Taylor*, Superintendent of Coorg, to the Secretary to the Commissioner for the Affairs of Coorg, Bangalore (No. 581); dated 7 September 1863.

With reference to your Circular, General No. 210, of the 3d instant, and its enclosure, I have the honour to forward herewith the return therewith forwarded, and to report that no waste land has ever been sold by Government in Coorg.

Return of Waste Land sold in the District of Coorg to Europeans and to Natives in each of the Years from 1 January 1858 to 30 September 1863.

Year.	To whom sold.	Extent Sold. In Local Measurement.				In English Measurement. Acres.	Roods.	Poles.	Yards.	Average Rate per Acre.	Amount. Rs. a. p.	Total. Rs. a. p.	Remarks.
1858	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total 1858	–	–	–	–	–	–	–	–	–	–	–	
1859	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total 1859	–	–	–	–	–	–	–	–	–	–	–	
1860	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total 1860	–	–	–	–	–	–	–	–	–	–	–	
1861	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total 1861	–	–	–	–	–	–	–	–	–	–	–	
1862	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total 1862	–	–	–	–	–	–	–	–	–	–	–	
1863 to 30th Sept. only.	To Europeans	–	–	–	–	–	–	–	–	–	–	–	
	„ Natives	–	–	–	–	–	–	–	–	–	–	–	
	Total to 30 Sept. 1863.	–	–	–	–	–	–	–	–	–	–	–	

ABSTRACT.

		Extent in English Measurement.				Amount.
Sold from 1 January 1858 to 30 September 1863.	To Europeans	–	–	–	–	—
	To Natives	–	–	–	–	—
	Grand Total	–	–	–	–	—

Coorg,
7 September 1863.

(signed) *R. N. Taylor*, Captain,
Superintendent.

— No. 14. —

Home Department.—Revenue.—No. 24 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart, G.C.B., Secretary of State for India.

Sir, Fort William, 19 October 1863.

REFERRING to the papers forwarded with our Despatch No. 20, dated the 21st ultimo, we have the honour to transmit copy of a further communication* from the Government of Bengal, regarding the applications made for waste lands in the Nowgong district of the province of Assam under the Resolution of 17 October 1861.

* No. 1051 T, dated 7 October 1863.

We have, &c.
(signed) *H. B. Harington.*
C. E. Trevelyan.
W. Grey.

Enclosure 1 in No. 14.

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue, to the Honourable *A. Eden*, Secretary to the Government of Bengal (No. 349); dated 17 September 1863.

Present: A. Grote, Esq.

IN continuation of my letter No. 271, dated 6th ultimo, I am directed by the Board of Revenue to state that the Commissioner of Assam reports that the advertisement required by paragraph 17 of Lord Canning's Resolution of 17 October 1861 was issued in the cases referred to in paragraph 3.

— No. 15. —

Home Department.—Revenue.—No. 25 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 20 October 1863.

REFERRING to paragraph 4 of your Despatch No. 18, dated the 9th July last, we have the honour to forward the accompanying copy of a communication* from the Government of the North Western Provinces, from which you will perceive that Rule 19 of the rules issued by the Government of Bengal for the sale of waste lands has already been adopted in the North Western Provinces.

* No. 1126, dated 1 October 1863.

2. The report promised in the last paragraph of the above letter, showing the arrangements made for the sale of waste lands in the North Western Provinces, under the terms of the resolution of 17 October 1861, will be forwarded to you as soon as it is received.

We have, &c.
(signed) *H. B. Harington.*
C. E. Trevelyan.
W. Grey.

Enclosure in No. 15.

Revenue Department—No. 1126 A of 1863.

From *A. P. Howell*, Esq., Officiating Under Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India, in the Home Department, Fort William; dated Nynee Tal, 1 October 1863.

Sir,

I AM directed to acknowledge the receipt of Mr. J. W. S. Wyllie's letters, No. 5653, dated 8th September, and No. 5832, dated the 12th idem, the former forwarding an extract from a Despatch from the Right Honourable the Secretary of State for India, No. 18, dated 9th

9th July last, desiring the adoption in the North Western Provinces of the rules in force for the sale of waste lands in Bengal; and the latter requesting the submission of the report of the Sudder Board of Revenue, showing the arrangements made in these provinces for the sale of waste lands under the terms of the resolution of the 17th October 1861.

2. In reply to the former letter, I am directed to forward a copy of the notification issued by this Government in the Revenue Department, No. 1216 A, dated the 7th of November 1862, from which his Honor the President in Council will perceive that this Government have already adopted Rule 19 of those issued by the Government of Bengal for the sale of waste lands.

3. With reference to the latter communication, I am desired to state that the required report is still under preparation in the office of the Sudder Board of Revenue, upon whom repeated calls have been made for it, and that no unnecessary delay will be allowed to occur in its submission to the Government of India.

I have, &c.
(signed)
Officiating Under Secretary to the Government
of the North Western Provinces.

Copy of Notification.

No. 1216 A.—Revenue Department (dated Nynee Tal, 7 November 1862).

The following rule of the rules issued by the Government of Bengal for the sale of unassessed waste lands and the redemption of the revenue of such lands already granted for a term of years, with the explanation given in answer by that Government to a question put to it, is adopted for the North Western Provinces, aad is published for general information, as showing the terms on which redemption of russudee grant assessment may be effected.

Rule 19. All grants of waste land already made for a term of years under previously existing rules, in which no right of occupancy or proprietorship exists, except that of the grantee or that derived from him, will be treated for the purposes of this rule as if the land were permanently settled; and the grantees or their representatives may redeem the future land revenue of such grants or of any compact part of them in perpetuity for an amount equal to the present value of all future stipulated annual payments calculated at 5 per cent. interest, provided the said amount is not less than *Rs.* 2. 8. an acre on the whole area of which the revenue is redeemed.

— No. 16. —

Home Department.—Revenue.—No. 29 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 4 November 1863.

In continuation of our Letter No. 23, dated the 8th ultimo, we have the honour to transmit the accompanying copy of a Report* from the Chief Commissioner of Oude, showing the extent to which waste land has been sold in Oude since the re-occupation of the Province in 1858.

* No. 3172, dated 17 October, and enclosures.

We have, &c.
(signed) *H. B. Harington.*
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosure in No. 16.

From Major *J. Reid*, Secretary to the Chief Commissioner of Oude, to the Secretary to the Government of India, Foreign Department at the Presidency (No. 3172), dated Lucknow, 17 October 1863.

In forwarding the Statement of Waste Lands called for in your letter No. 4582, dated 24th July last, I am desired by the Chief Commissioner to explain that there has been some little delay in preparing it, owing to the necessity for calling for additional information in some cases.

2. It will be observed that a very large proportion of the waste land disposed of, 224,547 acres were granted (not sold) under rules laid down in the Chief Commissioner's Circulars Nos. 32 and 78, dated 19 March 1859, and 15 May 1860 (under the provisions of which the grants made under the first-named circular were all brought), copies of which are annexed. Some of these grants are of small area, and should have been marked off with the neighbouring villages, instead of being set up as separate tracts; but as the grants were made to the proprietors of these villages, no harm has been done. The grants under these rules entered under 1862 were really made in 1861, though formal possession was not given till the following year.

3. Under Lord Canning's Rules, 25,623 acres 2 roods and 32 poles were sold for *Rs.* 58,840. 2.; *Rs.* 2. 8. was fixed as the price for land covered with forest jungle, and 5 rupees for land which was not so encumbered, a reduction of one-eighth being allowed for unculturable waste.

4. Five thousand four hundred and three acres were sold under the Secretary of State's Rules for *Rs.* 43,885. 8., giving an average of rather more than 8 rupees an acre. But one lot of 1,658 acres was bought by the proprietor of the adjoining estate at 15 rupees per acre, a price which must be regarded as quite exceptional; and, excluding this grant, the average price realised was very little above 5 rupees per acre. The total price of land sold under both rules was *Rs.* 1,02,725. 10.

5. In explanation of the very limited area sold under the Secretary of State's Rules, I am desired by the Chief Commissioner to observe that all the most accessible waste land has been disposed of; and that to prevent the annoyance and harassment to purchasers, the neighbouring landholders, and Government officials, that have accrued from making sales prior to a rough survey, the Chief Commissioner has found it necessary to defer advertising the remaining tracts until a demarcation of the areas of the surrounding and interjacent villages, and of each allotment sufficient to determine its boundaries and give its approximate area, shall have been completed.

6. In three districts only is any waste land left, and in two of these arrangements have been made for a demarcation of the nature above described, during this cold season, by which time the survey of the forest tracts reserved for timber will also be completed. It is not likely, however, that these tracts will be rapidly taken up, as their neighbourhood is very sparely populated, and they are subject to malaria. But as cultivation spreads, the climate will doubtless improve; and if Colonel Cotton's project of a canal from the Sardah is carried out, these tracts will become very valuable.

7. And if the Gogra is found to be navigable by steamers from a considerable distance above Byram Ghaut, the value of the waste lands in the north west of Oude will greatly increase. The Chief Commissioner purposes, therefore, to make a survey of the river as far as the junction of the Koryallee in March next.

8. Forty Europeans hold 57 grants, aggregating 149,934 acres and 32 poles; and 101 with a total area of 105,640 acres and 24 poles are held by natives. At first natives evinced great apathy in acquiring waste lands, and did not fully appreciate their value till they saw how eagerly these lands were sought for by Europeans.

CIRCULAR.—No. 78—1827.

From the Secretary to the Chief Commissioner of Oude to all Commissioner of Oude; dated Lucknow, 15 May 1860.

Sirs,

I AM directed to forward to you the accompanying revised rules for the grant of waste lands in Oude, which supersede the rules forwarded with Circular No. 32, dated 19 March 1859.

2. All *bonâ fide* grants given under the old will now be held under the new rules, but they must be grants above 300 acres to entitle them to this advantage, as all below that extent have been declared cancelled, and are ignored.

3. No new grants under 500 acres should be given, unless the demarcation officer has previously marked off less than that as a Government estate under the general instructions given him. The fee formerly required for expenses of measurement will continue to be taken.

4. All

4. All applications for grants will be reported for the sanction of the Chief Commissioner in the following form :—

District.	Name and Profession of Applicant.	Extent of Land applied for.	Name by which the Locality is known, and its Situation.	Opinion of Deputy Commissioner whether application should be complied with or not, and to what extent.	Ditto of Commissioner.	Order of Chief Commissioner.

I have, &c.
(signed) *C. Currie,*
Officiating Secretary to Chief Commissioner of Oude.

Revised Rules for the Grant of Waste Lands in Oude.

1. Applications for grants of waste lands must be made to the Deputy Commissioner of the district, and be by him submitted, through the Commissioner of the division, for the sanction of the Chief Commissioner.

2. Applicants must state distinctly the extent of land they desire to obtain, and the locality in which it is situated; but the total area of any one grant will not exceed 5,000 acres.

3. The entire grant will be held free of assessment for a period of 12 years; and on the expiration of this term, it will be settled with the grantee, or his heirs, in full proprietary title, at the customary rate of assessment, or 50 per cent. of the assets of the cultivated portion, subject to the following conditions :—

1st. That one-fourth of the entire grant be brought under cultivation by the end of the sixth year of rent-free possession; failure of this condition will render the entire grant liable to resumption.

2d. That one-half of the entire grant be brought under cultivation by the end of the twelfth year of rent-free possession, or, in default, the whole of the remaining waste will not be included in the settlement lease, but only waste equivalent to the cultivated portion.

[In enforcing these conditions, however, a deduction will be made of so much of the entire area as the revenue survey shall show to be unculturable.]

3d. That the cost of erecting and maintaining permanent boundary marks round his grant, be defrayed by the grantee.

4th. That the right of the public to roads through the grant is not interfered with.

5th. That Government reserves the right it everywhere possesses over all running streams of water, whether for purposes of navigation or irrigation, and can, whenever it sees fit, assume the control of the waters, and distribute them in such manner, and on such conditions, as may seem conducive to the public good.

6th. That the grantee duly perform all the duties required of landowners in Oude.

(signed) *C. Currie,*
Officiating Secretary to the Chief Commissioner, Oude.

Circular.—No. 32-518.

From *T. D. Forsyth,* Esq., Secretary to the Chief Commissioner of Oude, to the Commissioner and Superintendent Division; dated Lucknow, 19 March 1859.

Sir,

The accompanying Rules in English and vernacular for giving leases of jungle lands should be widely distributed among Europeans and Natives, and in forwarding them I am directed to call your attention to the following remarks :—

2. In asserting, as you have been directed to do, the inherent right of the State to all waste lands, you will bear in mind that small tracts of jungle which supply fuel and pasturage to the neighbouring villages, or are in course of being brought under cultivation

by the inhabitants, are not to be claimed for Government; they will at next settlement be included in the area of their villages.

3. And in case of the larger tracts adjoining the residences of Talookdars which have hitherto been kept as a defence, a lease on the prescribed terms should be offered to the Talookdar, and not be given to a stranger unless he refuses it, for it would hurt the feelings of this class if a speculator were settled at their very doors.

4. Where, however, the tract is so extensive that it is manifestly beyond the power of the Talookdar alone to reclaim it, the part contiguous to his dwelling should be leased to him, and the more distant only to strangers, and these should not be persons who bear him an old grudge, or are personally offensive to him.

5. To prevent, however, a Talookdar from taking the lease with no view to clearing, but merely to keep out another, the provision of Clause 4 of the Rules should be stringently enforced.

6. Provision is made in the Rules for some waste (which is indispensably necessary) being attached to the cleared portion, when the whole is ultimately formed into an estate. To leave a margin for this, the area of the jungle plot at first assigned must be one-third in excess of the amount undertaken to be cleared and cultivated by the applicant, and it need not be very accurately measured, for that would take time; whereas the applicants will be numerous, and it will be desirable to comply with their wishes before the rains set in and agricultural operations commence.

7. In the Baraitch and Khyreeghur districts, where the waste is of such enormous extent, it will not be necessary even to attempt a measurement of the plot, the applicants can be directed to commence clearing at a particular spot and at convenient distance from each other, and there is no fear of their not being ample waste to add at settlement; but this will not be the case where the jungle is limited, there a rough measurement of the area must be made. In fixing boundaries, marked local features, such as roads, nullahs, &c., should be taken advantage of.

8. No leases will be given in tracts it may be considered desirable to preserve for the sake of the timber.

9. Clause 3 is designed to keep out squatters who only take a lease to appropriate the spontaneous produce and establish future claims.

10. There are others, besides Talookdars, who take leases solely to keep others out, and Clause 4 serves to check them.

11. All incidental charges of measurement, such as cutting lines, flagmen, &c., will be borne by the applicant; but the establishment it may be necessary to keep up, which need not exceed a couple of Ameens, possessing a knowledge of the plain compasss, will be paid from the fees provided by the Rules.

12. A list of all jungle tracts registered as State property should be prepared in each Deputy Commissioner's Office, and submitted to the Officiating Chief Commissioner; and if possible, an approximate idea should be given of their extent.

13. Abstract Returns of Allotments made to applicants should also be submitted quarterly in the subjoined Form:—

District.	Number of Applications Received.	Number of Applications Complied with.	Extent of Jungle Allotted.	Remarks.

I have, &c.
(signed) *T. D. Forsyth,*
Secretary to the Chief Commissioner, Oude.

RULES for Clearing Leases of WASTE LANDS in *Oude.*

1. THE application of parties must distinctly state the extent of land they desire, and are prepared to clear and cultivate within the term of the present settlement. The Deputy Commissioner of the district will then assign them suitable allotments.

2. No

2. No revenue will be demanded by Government during the settlement, and on its expiration the cultivated portion of the allotment will be assessed for the term of the next settlement, at half the rates prevailing in the adjoining villages, that is to say, at quarter assets, or four annas in the rupee. One-third as much waste will then be added, free of assessment, to the cultivated portion, so as to form a compact estate.

3. Applications for less than 50 acres will not be received, and clearings of less extent than 25 acres, will not entitle the occupants to engage at next settlement. Such clearings will then be incorporated in the nearest large allotments.

4. The entire allotment will also be liable to resumption, if one-third the extent applied for is not cleared and cultivated by the close of the second year.

5. Boundary pillars, where required, will be erected at the cost of the applicants, and a fee of 10 rupees per hundred acres will be charged to defray the expenses of establishment.

6. Each allotment will be numbered and registered in the Deputy Commissioner's office, and the grantees will be required to discharge the duties incumbent on landholders in Oude.

(signed) *T. D. Forsyth*,
Secretary to the Chief Commissioner, Oude.

STATEMENT of WASTE LANDS Granted and Sold since the Re-occupation in OUDE.

GRANTEES.	Under old Rules of Chief Commissioner's Circulars, No. 32, dated 19 March 1859, and No. 78, dated 15 May 1860.											Under Lord Canning's Rules.						Under Secretary of State's Rules.				
	NUMBER OF GRANTS.					Total Grants.	AREA IN ACRES.					Total Area in Acres.	Number of Grants.		Total Grants.	Area in Acres.		Total Area in Acres.	Number of Grants.		Area in Acres.	Total Area in Acres.	Price Sold at.
	1858.	1859.	1860.	1861.	1862.		1858.	1859.	1860.	1861.	1862.		1862.	1863.		1862.	1863.		1863.		1863.		
Europeans	–	2	10	10	21	43	–	5,922 2 0	40,562	38,020	39,311	123,815 2 0	10	–	10	22,373 2 32	–	22,373 2 32	51,518 14 –	4	3,745	3,745	19,015 8 –
Natives	–	69	13	12	2	96	–	58,740 0 24	25,465	9,939	7,588	100,732 0 24	4	–	4	3,250 0 0	–	3,250 0 0	7,321 4 –	1	1,658	1,658	24,870 – –
TOTAL	–	71	23	22	23	139	–	64,662 2 24	66,027	47,959	46,899	224,547 2 24	14	–	14	25,623 2 32	–	25,623 2 32	58,840 2 –	5	5,403	5,403	43,885 8 –

Lucknow, 17 October 1863.

(signed) *J. Reid*,
Secretary to the Chief Commissioner of Oude.

— No. 17. —

Home Department.—Revenue.—No. 30 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 12 November 1863.

IN continuation of our Letter, No. 29, dated the 4th instant, we have the honour to transmit the accompanying statement, showing the extent to which

waste land has been sold in British Burmah from 1 January 1858 to 30 September 1863.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosure in No. 17.

RETURN showing extent of WASTE LAND sold in the Province of *British Burmah* within the Period embraced between 1st January 1858 and 30th September 1863.

Division.	District.	Township.	Name of Purchaser.	Race of Purchaser.	Quantity of Land.	Date of Sale.		Remarks.
						Year.	Month.	
					A. r. p.			
Arracan -	- - -	- - -	- - -	- none.				
Pegu - -	Prome -	Thawoonaboh -	Moung Koin	Burman -	211 14 11	1863	March 24th.	
Tenasserim -	- - -	- - -	- - -	- none.				

(No. 4080.)

FORWARDED to the Officiating Secretary to the Government of India, Foreign Department, with reference to docket from this Department (Revenue), No. 236 (Circular) of the 13th August last. The above statement comprises all the Returns of land sold to Europeans and Natives in the Province of British Burmah, between the years 1857 and the first nine months of 1863.

(signed) *H. Nelson Davies,*
Secretary to Chief Commissioner of British Burmah,
Rangoon, 24 October 1863. and Agent to the Governor General.

— No. 18. —

Home Department.—Revenue.—No. 31 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 27 November 1863.

IN continuation of our letter, No. 30, dated the 12th instant, we have the honour to transmit the accompanying Return of Waste Lands sold in the several divisions of the Mysore territory, from 1 January 1858 to 30 September 1863.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosure in No. 18.

From *L. Bowring*, Esq., Commissioner of Mysore, to *E. C. Bayley*, Esq., Officiating Secretary to the Government of India, Foreign Department (No. 100); dated Bangalore, 23 October 1863.

WITH reference to Assistant Secretary Mr. J. T. Wheeler's Circular Docket, No. 236, dated 13th August 1863, submits Return of Waste Lands sold in the several Divisions of the Mysore territory.

RETURN of WASTE LANDS Sold in the several Divisions of the *Mysore* Territory to Europeans and to Natives in each of the Years from 1 January 1858 to 30 September 1863, and submitted under the Orders of the Government of India, as conveyed in Circular Docket No. 236; dated 13 August 1863, from the Assistant Secretary in the Foreign Department (Revenue).

Year.	To whom Sold.	NUNDIDROOG DIVISION.			ASHTAGRAM DIVISION.			NUGGUR DIVISION.			Total showing the extent of Land Sold to each Class, the Amount, and in what Year, throughout the Mysore Territory.	
		Extent of Land.	Average Rate per Acre in Rupees.	Amount.	Extent of Land.	Average Rate per Acre in Rupees.	Amount.	Extent of Land.	Average Rate per Acre in Rupees.	Amount.	Extent of Land.	Amount.
		Acs. r. p. y.	*Rs. a. p.*	*Rs. a. p.*	*Acs. r. p. y.*	*Rs. a. p.*	*Rs. a. p.*	*Acs. r. p. y.*	*Rs. a. p.*	*Rs. a. p.*	*Acs. r. p. y.*	*Rs. a. p.*
1858	Europeans	- - -	- - -	- - -	0 0 13 26¾	193 7 9	16 12 -	- - -	- - -	- - -	0 0 13 26¾	16 12 -
„	Natives	- - -	- - -	- - -	4 0 18 6¾	10 11 11	44 3 -	291 1 28 30	2 1 7	618 10 6	295 2 7 6½	662 13 6
	TOTAL	- - -	- - -	- - -	4 0 32 3¼	- -	60 15 -	291 1 28 30	- -	618 10 6	295 2 21 3	679 9 6
1859	Europeans	- - -	- - -	- - -	5 0 4 5	45 2 -	226 7 -	- - -	- -	- - -	5 0 4 5	236 7 -
„	Natives	- - -	- - -	- - -	2 3 5 12¾	65 4 -	179 10 -	328 2 10 27½	1 11 11	574 15 -	331 1 16 10	754 9 -
	TOTAL	- - -	- - -	- - -	7 3 9 17¾	- -	406 1 -	328 2 10 27½	- -	574 15 -	336 1 20 15	981 - -
1860	Europeans	- - -	- - -	- - -	0 0 21 14¾	89 12 -	12 - -	- - -	- -	- - -	0 0 21 14¾	12 - -
„	Natives	- - -	- - -	- - -	2 2 39 7¾	26 8 -	72 12 -	973 0 4 6	- 7 11¾	485 3 -	975 3 3 13¾	557 15 -
	TOTAL	- - -	- - -	- - -	2 3 20 22½	- -	81 12 -	973 0 4 6	- -	485 3 -	975 3 24 28½	569 15 -
1861	Europeans	- - -	- - -	- - -	0 0 0 0	- -	- -	66 0 18 15½	3 1 8	205 - -	66 0 18 15½	205 - -
„	Natives	- - -	- - -	- - -	3 1 32 2½	12 12 -	41 - -	532 0 20 2	- 8 3	276 15 8	535 2 12 4½	320 15 8
	TOTAL	- - -	- - -	- - -	3 1 32 2½	- -	41 - -	598 0 38 17½	- -	481 15 8	601 2 30 20	525 15 8
1862	Europeans	- - -	- - -	- - -	995 1 11 28⅝	2 - 10	2,031 - -	115 3 25 15¾	2 - 3	233 10 1	1,111 0 37 14¼	2,267 10 1
„	Natives	0 2 38 12¾	10,032 - -*	7,424 8 -	260 2 18 14	21 5 -	6,433 12 -	1,539 3 5 10⅞	4 14 5	8,074 4 0	1,801 0 22 7¼	21,932 8 -
	TOTAL	0 2 38 12¾	- -	7,421 8 -	1,255 3 30 12¼	- -	8,167 12 -	1,655 2 30 26½	- -	8,307 14 1	2,912 1 19 21½	24,200 2 1
1863 to 30th Sept. only.	Europeans	0 1 1 0	925 - -*	237 - -	0 0 0 0	- -	- -	227 1 3 19½	2 9 3	585 - -	227 2 4 19¼	822 - -
	Natives	6 1 19 15¼	1,134 - -*	7,265 - -	55 1 34 15½	31 7 10	3,410 9 5	1,060 3 12 9	3 1 3	3,263 - -	1,122 2 26 9¾	13,938 9 5
	TOTAL	6 2 20 15¼	- -	7,502 - -	55 1 31 15½	- -	3,410 9 5	1,288 0 15 28¼	- -	3,848 - -	1,350 0 30 28¾	14,760 9 5
	GRAND TOTAL from 1 January 1858 to 30 September 1863	7 1 18 28	- -	14,926 8 -	1,329 2 39 13½	- -	12,474 1 5	5,135 0 9 14¾	- -	14,316 10 3	6,472 0 27 26	41,717 3 8

REMARKS.

Nundidroog.—The land sold in this Division consists wholly of building sites in the town and cantonment of Bangalore.

Ashtagram.—With a trifling exception, the land sold in this Division consists of culturable waste.

* Average per acre, *Rs.* 6. 7. 1¼.

ABSTRACT 1858 to 30 September 1863.

		Rs. a. p.		*Rs. a. p.*	
Total Extent, *Acs.* 6,472. 0. 27. 26	Europeans - 1,410 0 20 4¾	Average - 2 8 3	Amount - 3,549 13 1	Total Amount, *Rs.* 41,717. 3. 8.
	Natives - 5,062 0 7 21¼	„ - 7 8 7	„ - 38,167 6 7	

Bangalore, 23 October 1863.

(signed) *L. Bowring*, Commissioner, Mysore.

— No. 19. —

Home Department.—Revenue.—No. 32 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 30 November 1863.

In continuation of letter, No. 31, dated the 27th instant, we have the honour to transmit the accompanying copy of a communication from the Government of Bombay, No. 4032, dated the 14th instant, reporting that no waste lands have been sold in the province of Sind, either to Europeans or Natives.

We have, &c.
(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosure in No. 19.

From *A. D. Robertson*, Esq., Officiating Chief Secretary to the Government of Bombay, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 4032); dated 14 November 1863.

No. 4582, dated 24 July 1863.
No. 6425, dated 9 October 1863.

With reference to Mr. Under Secretary Wyllie's letters noted in the margin, I am directed to state, for the information of the Government of India, that the Commissioner in Sind has, in a communication dated 4th instant, No. 302, reported that no waste lands have been sold to Europeans or Natives in that province during the years from 1858 to 1862 inclusive, and the first nine months of 1863.

— No. 20. —

Home Department.—Revenue.—No. 33 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir, Fort William, 30 November 1863.

In continuation of letter, No. 24, dated the 19th ultimo, we have the honour to transmit for your information copy of a letter from the Commissioner for the Affairs of Coorg, No. 33, dated the 24th October 1862, regarding the applications made for waste lands in that district, under the Resolution of 17th October 1861. We also forward copies of two letters from the Commissioner of Mysore, Nos. 41 and 11, dated respectively the 14th July and 7th ultimo, showing that no action was taken in Mysore under that Resolution, together with a copy of the communication of 23d August 1862, which is specially referred to in the above letters, and which contains considerable information on the subject of coffee planting in the Mysore territories.

I have, &c.
(signed) *R. Napier.*
H. B. Harington.
H. S. Maine.
C. E. Trevelyan.
W. Grey.

Enclosure 1, in No. 20.

From *L. Bowring*, Esq., Commissioner for the Government of the Territories of his Highness the Maharajah of Mysore, to *E. C. Bayley*, Esq., Secretary to the Government of India, Home Department (No. 11); dated Bangalore, 7 October 1863.

In reply to Mr. Under Secretary Wyllie's letter, No. 5831, dated 12th ultimo, I have the honour to state that no statistics are available in Mysore, showing the extent to which waste lands have been sold in the province, in accordance with the rules prescribed in the Governor General's Resolution of 17th October 1861.

2. As explained in my letter, No. 41, dated 14th July 1863, of which a copy was submitted for the information of the Honourable the President in Council, the Resolution in question

question had never been acted on in Mysore up to the time of my arrival in April 1862. Grants for coffee planting were made under the Commissioner's signature, according to the form submitted with my letter, No. 26, dated 23d August 1862, on such liberal terms that it did not appear to me necessary or advisable to introduce any change pending a determination of the system to be followed hereafter, for which I believe sufficient materials were presented in the letter quoted.

3. Practically there is no land to be had now in Munjerabad, the great coffee-growing talook, except by purchase from the villagers; all that was available having been already occupied by the many planters who have settled in that part of Mysore. Attention is, however, being directed to certain talooks of the Nugur division (where, however, there is not much ground available), and to the dense jungles in the southern part of the Mysore district; where, however, the climate is prejudicial to health.

Enclosure 2, in No. 20.

From *L. Bowring*, Esq., Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department, with the Governor General (No. 41); dated Bangalore, 14 July 1863.

With advertence to your letter, No. 132, dated 18th June, regarding the arrangements made for the sale of waste lands in Mysore, I have the honour to state that the system depicted in my communication of 23d August last is still in full force in this province.

2. I was under the impression that my letter above adverted to, which was despatched before the receipt of your instructions, No. 480, dated 30th August, gave all the information which the Government required in connexion with the subject so far as regards Mysore, and that it would not be desirable to interfere in any way with the terms on which waste lands were assigned under the puttahs of which a specimen was forwarded with my letter, No. 26, dated 23d August, until the Government had pronounced an opinion on the general question of coffee cultivation in Mysore.

3. As I understand the purport of paragraph 76 of the Right Honourable the Secretary of State's Despatch, No. 14, dated 9th July 1862, the local administrations were directed to report to what extent the late Governor General's Resolution of 17th October 1861 had been acted on. To this the answer is that no action was taken on it in Mysore up to the date of my letter of 23d August last; and that the rules promulgated by General Cubbon, as specified in that letter and its accompaniments, continued in force. No alteration, moreover, has since been made, as I conceived that my letter detailing the arrangements for assigning grants for coffee cultivation (for which purpose alone waste lands have been granted in Mysore) entered so fully into all details as to place the whole question in such a shape as to admit of instructions being conveyed for its ultimate disposal.

4. Should I have been in error in this conception, I must crave the indulgence of Government.

5. In regard to the district of Coorg, a reply was submitted with my letter, No. 33, dated 24th October 1862.

6. I have the honour to state that a copy of this letter has been forwarded to the Secretary to Government, Home Department, together with copies of my letter, No. 26, dated 23d August 1862, regarding Mysore coffee lands, and of my letter, No. 33, dated 24th October 1862, respecting Coorg grants.

Enclosure 3, in No. 20.

From *L. Bowring*, Esq., Commissioner for the Affairs of Coorg, to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department (No. 33); dated Bangalore, 24 October 1862.

In reply to paragraph 2 of Mr. Bayley's letter, No. 4206, of 15th August, forwarded with your letter No. 480, dated the 30th idem, I have the honour to state that 21 applications have been received in Coorg from Europeans and Natives for the purchase, as waste, of 41 estates.

2. Of the above, all but two estates have already been given in grants, and are either cardamom jungles, or former "Jungle Waste," such as is referred to in paragraph 9 of my letter, No. 26, dated 23d August.

3. There are two pieces of land, however, of the latter description ("Jungle Waste"), which have not yet been granted; but for the purchase of which as waste, applications have been received. They being, however, identical in character with other grants of jungle waste, referred to in my letter above quoted, the question does not appear to be affected by them.

Enclosure 4, in No. 20.

From *L. Bowring*, Esq., Commissioner of Mysore and for the Affairs of Coorg, to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department. (No. 26); dated Bangalore, 23 August 1862.

* From Mr. Mann, dated 25th June 1862.
To „ „ 30th „ „
From „ „ 22d July „

I HAVE the honour to submit, for the consideration and orders of the Government of India, the accompanying letters* from Mr. H. Mann, on behalf of the European planters in the district of Coorg.

2. It will be observed that these gentlemen request permission to purchase their coffee estates in fee simple, according to the terms prescribed for the sale of waste lands in the Resolution of Government, dated 17th October 1861.

3. As the subject of coffee planting in Mysore and Coorg comprises many features, which are peculiar to this province, and presents difficulties of no ordinary nature, I do myself the honour to place before the Government the fullest information in my power on the several matters of detail which require explicit instructions. In order to do this effectually, it is necessary for me to describe the development and progress of coffee cultivation in Mysore.

4. As the Government are aware, this branch of agriculture is of comparatively recent origin; and during the rule of the Maharajah, the monopoly of Mysore coffee was in the hands of a Madras firm. This system was abolished in 1837, and an excise of one rupee per maund of 28 lbs. substituted, which was reduced gradually to four annas, the existing rate, which equals one rupee per cwt.

5. Many years passed before the cultivation of coffee attracted the special attention of the Government officers; but in 1854, Major Onslow, then superintendent of the Nuggur division, brought to the notice of the Commissioner, that matters were in a very unsatisfactory state. He represented that, notwithstanding the existence of orders prohibiting the cultivation of Government lands without permission, many more coffee plantations were then held without puttahs than with them; that he had issued noitfications two years before, calling upon all planters to register their lands and take out puttahs, on pain of resumption; but that this injunction had not been generally obeyed. Major Onslow stated that, in consequence of the jungly and inaccessible nature of the country in which most of the plantations were situated, supervision was very difficult; and he added that a great deal of the land occupied nominally for growing coffee was used only for grazing, procuring firewood, timber, &c., or for the purpose of keeping other people out, only a few trees being planted for the sake of appearances, and to justify possession, although the rules in force prescribed that a certain number should be planted within a given time. Major Onslow observed, that the average produce of 1,000 trees, grown in the common slovenly fashion of the Ryots, was not more than five maunds, if so much. An absence of all boundary marks was the rule, and smuggling was largely practised under an excise system. Major Onslow further remarked that, in the Company's territory, the tax was one rupee per acre, producing 25 or 30 maunds, and that consequently the excise of four annas a maund was unduly high on *bonâ fide* planters. He, therefore, suggested the imposition of a moderate land tax, a survey of plantations, and a register of them, so as to define the rights of the proprietors, and to recognize the holdings as being their private property, on which basis alone could the Government expect that the cultivation would be carried on with success and credit. He added that in the Mulnad, *i.e.* the hilly portion of Nuggur, where sooparee is largely grown, proprietary right has long been acknowledged. The following gradation of assessment was recommended by him, *viz.* the land to be held rent-free for four years, one-third the assessment to be put on in the fifth, two-thirds in the sixth, and the whole in the seventh year. Major Onslow proposed that if, pending the introduction of a survey, it should be necessary to maintain the halut or excise, it should be reduced considerably. He wound up by advising that coffee plantations on Inam land should be taxed, on the ground that any cultivation on such lands was by custom limitable, and that all coffee raised on them had up to that time paid the excise duty.

6. The above-mentioned report entered very fully into the principal points which at that time forced themselves upon the notice of the superintendent, but it was not till 1860, when the existence of extensive evasion of the duty and smuggling was reported to the Commissioner, that any definite orders were issued. In consequence of the reports which then reached him, Sir M. Cubbon directed that puttahs in the annexed form should be given to all holders of coffee plantations. It will be observed, that the principal feature of the puttah is to declare, that an average minimum number of 500 coffee trees must be planted in every acre within the period of five years, and that, if this provision is not observed, the Government may resume summarily the whole or any uncultivated portion of the land specified in the puttah. The halut or excise of four annas is declared to be in substitution of the ancient warum or Government share of the produce, and to be subject to revision while any evasion of it is visited with penalties. Lastly, it was ordered that puttahs must be taken out within six months, the grants being, on failure, subject to resumption. These orders bear date the 20th May 1860; but on 19th July 1860, it was intimated that, if a fair proportion of any grant was cultivated prior to the expiration of the first term of five years, the Commissioner would deal liberally with the holder, even to the extent of renewing the conditions as they stood in the grant for five years more, provided that he did not undersell the land previous to its being brought under cultivation.

7. Liberal

7. Liberal as these terms undoubtedly were, the superintendent of Nuggur reported in February 1861, that several persons had not acted up to the orders, and had not taken out puttahs; that the provisions of the puttahs regarding the number of trees to be planted had, in many cases, been neglected; and that, sub-letting by the original grantees, had given rise to numerous demands on the part of the sub-lessees for separate grants in their own names. In fact, it is evident that, for a long series of years, threats have been held out, but never acted upon, and that, consequently, the actual state of possession is at present as much debateable ground as it was in 1854 when Major Onslow submitted his report. All that the Government can legitimately do, is, to revise the system of excise, either by lowering it, or by substituting an acreage system.

8. As great uncertainty prevailed regarding the actual position of the planters, and their alleged grievances, I called upon the superintendents of Astagram and Nuggur, as well as the superintendent of Coorg to report fully on the subject, after ascertaining the views of the leading European planters, and I have in this way obtained much valuable information. There is, however, great discrepancy of opinion even among the latter gentlemen, some advocating the retention of the halut system, others the substitution of an acreage; but the impression I derive from the correspondence is that the more experienced and practical of the planters are in favour of an acreage, always supposing that the Government does not accede to their request to treat the coffee gardens as waste land.

9. I regret that I cannot consider this last request to be reasonable. I am fully aware of the advantages of encouraging European capital, and of the moral support which the presence of many English gentlemen gives to the Government, while the indirect advantages accruing from their presence in a new country are undoubted. But I must candidly admit that, in the case of Mysore and Coorg, there are substantial advantages realized by them at present, which do not seem to necessitate the adoption of the extreme measure of permitting them to purchase their plantations as waste land. Their profits are already large, and their undertaking is unquestionably successful, notwithstanding the extreme eagerness of the natives to rival them, and notwithstanding the uncertainty of their tenure. The main reasons why I do not consider that the coffee plantations in Coorg can be treated as waste lands are:—

1*st*. That in the greater part of those gardens which are held by Europeans, coffee is now grown where cardamoms were formerly reared, paying a tax to Government; coffee in Coorg is also grown in some parts inland which was jungle waste. The rules for bringing such land under culture, laid down in 1834, were to the effect that the land tax shall be remitted for five years, half to be payable in sixth year, three-fourths in seventh, and the whole in the eighth year. The late Sir M. Cubbon, in assigning land of this description in Coorg for coffee cultivation, distinctly informed the grantees that they would be liable to the rules with regard to the tax or duty on coffee plantations in the country (letter to Coorg Superintendent, No. 167, dated 17th August 1854).

2*d*. It has always been ruled that, if certain products are grown in Government forest lands, the ancient warum, or division of the produce, can be exacted by the Government. The former argument I consider to be unanswerable, and although, as regards the second, it has been urged that the rule is a barbarous one, and unsuited to a liberal Government, it must be remembered that, if the doctrine holds good in this instance, it would be equally applicable to all unassessed Butai land throughout the province of Mysore,—an argument which, in the face of the ascertained facts as to the great proportion of this species of tenure, cannot be for a moment upheld. In addition to which I may observe that an excise on agricultural produce is not unknown even in England, where a duty of this description is levied on hops.

3*d*. There is a third reason why, in my opinion, it is unadvisable to extend the waste land resolution to Coorg, and that is the great loss of revenue which it would entail in this small district, not only from the immediate sacrifice of the halut income, but from the loss of the rents now realised from cardamoms. There would be an immediate loss of 38,000 rupees, the income from coffee halut last year, of which a great portion would be irretrievably given up, as being the sum represented by coffee grown on the backyards of Coorg farms which are considered as taxed lands, being included in the rental of the farms themselves. I shall suggest, in a succeeding paragraph, a course in dealing with these patches, which will avert the loss of the whole revenue now derived from them. The present income from cardamoms is, however, 28,000 rupees, and this would disappear as coffee cultivation is extended in the forests where they are now grown.

4*th*. In the fourth place, if one refers to the nature of the coffee holdings in the adjoining district of Wainad, it will be seen that an acreage tax of two rupees has been fixed as the rate payable to Government in the fourth year after the date of planting.

Lastly, as it is very questionable whether a fee simple tenure based on the waste land resolution could be introduced in Mysore, it appears to me that to sanction it in Coorg would be to give them an unfair advantage over their brethren in the former province.

10. The above reasons are, in my opinion, sufficient to justify the Government in declining to accede to the request of the Coorg planters to be permitted to purchase their coffee lands on the terms of the waste land resolution; but in order to afford them the fullest opportunity of urging the grounds which they consider to warrant their application, I beg to recapitulate the arguments which they have brought forward.

11. The Coorg Association represent in their letter of July 22d that the proceeds of the

sale of waste lands, together with the advantages, direct and indirect, which must necessarily accompany an increase of European settlers, and the consequent flow of English capital, will soon compensate for any temporary loss of revenue. This, though somewhat vague, may be admitted to be quite correct in the case of fresh ground being broken, which, without European enterprise, would be waste, and also were there any indisposition on the part of others to come forward. But, as I have above remarked, the land chiefly occupied by the European planters has, for generations, paid a rental to Government in the shape of the tax on cardamoms, and the natives, though their enterprise is on a smaller scale, and generally carelessly managed, are keenly alive to the profits derivable from coffee produce. In fact, the halut system, though undoubtedly a heavy tax, has not had in any way a repressive effect, as the existence in spite of it of so large a number of planters in Mysore and Coorg evidences.

12. The Association proceed to say that Europeans will no longer be satisfied with any tenure, but fee simple. This observation is doubtless quite correct as regards European capitalists in England; but, if I have shown to the satisfaction of Government that the excise on coffee is in reality a land tax, it follows that the fee simple can only be attained in conformity with the rules prescribed for the redemption of the land revenue, and that the waste land resolution is not applicable to the Coorg coffee plantations.

13. I concur, however, most entirely in the last argument addressed by Mr. Mann, viz.' that the excise is a tax upon industry, the most industrious planters being taxed the most heavily in proportion to the skill and capital which they have brought to bear on their cultivation. But I fail to perceive that this fact is an argument in favour of their purchasing their lands as waste. There is no absolute connexion between the two subjects. If the tax presses heavily, it should be altered, and the only feasible way of doing this which occurs to me is either to reduce it to two annas per maund of 28 lbs, *i. e.*, eight annas or one shilling per cwt.; or to substitute for it an acreage either on the whole area, or on the cultivated portion of each coffee plantation.

14. Before laying any distinct proposition on this subject before the Government, it appeared to me advisable, in the first instance, to dispose of the question of granting permission to purchase the plantations as waste land, because this is the main point aimed at by the Coorg planters. I proceed now to submit, for the information of Government, such statistics as are available regarding the extent of coffee cultivation in Mysore and Coorg, and the financial effect of the excise system, both on the Government revenue and the interests of the planters.

15. When grants of land for growing coffee in Mysore were first assigned, it rested with the superintendents to make the allotments and regulate their extent. No limit was fixed, and the grants comprise areas varying from 10 acres to 10,000 acres, the smaller ones being held by natives, the larger by Europeans. No restriction appears to have been placed upon the authority of the superintendents to make the allotments, and the sanction of the Commissioner was not, therefore, considered necessary. It was not till many years had elapsed that puttahs in the present form were taken out, and penalties laid down for neglecting to register them. The registers which have been sent in for my inspection are now being carefully arranged, but sufficient attention had not been previously paid to them.

16. The coffee plantations in Mysore are for the most part confined to certain talooks, the following being an approximate statement of the number of acres taken up for coffee cultivation in the two coffee-growing divisions of the province, as well as in Coorg:—

Coffee Plantations.

Division.	Number or Name of Talooks.	Acres.	Remarks.
Astagram - -	- - 3 - -	45,00	20,000 European. 25,000 Native.
Nuggur - - -	- - 6 - -	30,000	2,650 European. 27,350 Native.
Coorg - - -	1. Mercara - - - 2. Puddynacknaad - 3. Yeddenaaknaad - 4. Kegutnaad - - 5. Veerajaputten - - 6. Yaloosaveraseemay -	5,000	Europeans and Natives.

Of the above, the vast majority of grants is held by Natives, generally for small areas, while the larger holdings are in the possession of Europeans. The best land has, in most places, been already taken up, and it would not be possible for any European gentleman now to secure an estate of the extent of that held by Mr. Middleton in the Munjerabad Talook, which has been estimated as comprising an area of 16 square miles.

17. It is not easy to estimate accurately the produce of the coffee plantations, for the yield varies greatly according to the locality, and according to the experience and energy of

of the planter. The following table may, however, be considered as approximately correct:—

		Maunds.		*Cwts.*	*Rs.*	*Rs.*
Coorg produce - - -	- per acre	30	=	7½	worth 180	at 6 per Md.
Astagram & Nuggur new plantations	do. „	25	=	6¼		
Old Munjerabad plantations	do. - - „	18	=	4½		
Native plantations	do - - - „	5	=	1¼		

It will be observed that there is a vast difference between the two extremes, the native style of cultivation being comparatively worthless and unprofitable; but it is for this reason that the halut, which is an indirect tax, not paid by the actual cultivator, but by the merchant who buys the produce, is popular with the natives, while an acreage, however low, would be distasteful.

18. One can readily understand that this view of the case is generally held by the native planters, none of whom have suggested the abolition of the halut, and that the question of a different system is in truth one affecting principally the interests of European colonization. But there is no denying the fact that the halut is in its present shape a heavy tax, and a greater burden upon the productiveness of the land than a light acreage would be. For example, taking the yield of a Coorg acre of coffee land as above given, the halut is equivalent to a tax of 7½ rupees on the bearing portion, whereas in Wainad the land tax is two rupees only. Even in the case of native plantations it is equivalent to *Rs.* 1. 4. per acre, or, supposing the yield to be only four maunds to one rupee. The objections to the halut are, on the one hand, that it gives a tacit encouragement to careless and unthrifty planting, and, on the other, that it falls most severely on those estates which have been brought into a flourishing state, solely owing to the enterprise and costly disbursements of the planters themselves, the reward of which ought to be reaped by them, instead of additional taxation being placed on their produce.

19. It has also been asserted that smuggling prevails extensively, and it was the supposed existence of this evasion of the duty that led to the stringent orders of 1860 about taking out puttahs; but I do not find this view corroborated by the various reports now before me; the superintendents and planters asserting that, if it does occur, it is on a very small scale

20. The superintendent of Nuggur is in favour of the halut system, both because he considers it in itself not heavy, and because it is the most profitable to Government. He asserts that, making every allowance for the charges of cultivation, the capital expended in Coorg (where he was for some time superintendent) is returned in 12 years with interest, and with a surplus of 15·12 per acre, and that intermediately from the 6th to the 12th year the profits are 55 per cent. I do not place much reliance on figures based on administrative experience, unless they are the result of an inspection of the actual accounts of the charges and income of an estate. I believe, however, that the outside cost of clearing an acre is 1,000 rupees under any circumstances; and as no tax whatever is levied on the ground (except the small cardamom rent in Coorg) until the 4th year, when the trees come into bearing, the system under which the halut is levied is not in itself oppressive, whatever may be said as to its amount.

21. It might be argued that a reduction of the halut to two annas the maund, or half the present excise, would meet the difficulty, and obviate the charge of levying a burdensome tax; but it is clear that, if the validity of tenure which is sought after by the Coorg planters is to be accorded, this can only be effected by an acreage on the land, an alternative which they themselves suggest in case they are not permitted to purchase their land as waste in fee simple. Of the Mysore gentlemen, who have been consulted, Colonel Porter (who was formerly in the commission) is the only one who advocates the retention of the halut in preference to an acreage. I confess, however, that after weighing all the arguments for and against it, I am decidedly in favour of an acreage rental on the land. I feel assured that it will be ultimately advantageous to all parties, European and Native, and that it is the only sound basis on which to place coffee cultivation. The validity of te ure which makes estates valuable is not incompatible with a fixed land assessment, though it is certainly opposed to a fluctuating excise; and there are obvious benefits in defining accurately the boundaries of estates, and adjusting disputes which even now arise, and which will assuredly increase as the cultivation becomes more profitable. The price of land will arise immensely by the establishment of a proprietary right such as a light assessment fixed for the future will afford, and there can, in my opinion, be no question that it will give a beneficial stimulus to the cultivation of coffee by natives. Those of them, who perceive its benefits, will introduce a better system, such as some of the Native gentlemen who keep English overseers, and really attend to the value of their produce, have already inaugurated with success. Those on the other hand, who are incompetent to improve their estates, will do well to dispose of them to other people who will give the cultivation fair play. Some officers are of opinion that an acreage would oblige many Native cultivators to dispose of their coffee lands to Europeans. I do not think so myself; for the experience of late years, both in Bengal and elsewhere, has shown that the natives readily apprehend any advantages which the cultivation of any particular product will afford them. They do not originate an improvement and lead the way; but, if once convinced by example that any crop will be especially remunerative, they are not slow to follow in the footsteps of those who have demonstrated its profits.

22. It is necessary that I should place before the Government the difficulties which

stand in the way of introducing an acreage such as I have proposed: The first of these is the expense; but as the necessary survey would not enter into minute details, and would merely define boundaries, and the extent of cultivated and uncultivated lands in each estate, it need not occupy a long time. We have the experience of Wainad to guide us in this respect. Secondly, the hilly and difficult nature of the country where the plantations lie. This obstacle is not, however, greater, I conceive, in Mysore and Coorg than it proved to be in Wainad, where it has been successfully surmounted.

23. The third point is not easy of solution. To most of the farms in Coorg are attached certain lands, which are considered already as taxed, being included in the rental of the farms themselves. They are divided into two classes, one called "Banay," or the high forest land which supplies the farms with firewood, grass, &c., and the other "Barakay" or grazing land below the farms. In the former of these coffee is now largely grown, and, of course, when exported, pays excise or halut. To give up the duty thus realised would be to sacrifice a considerable sum yearly; to tax the land thus cultivated with coffee might appear an infringement of the terms on which the local assessments are fixed. It is, however, in the power of the Government to prohibit the cultivation of any particular kind of forest produce, and I think that the difficulty might be met by allowing any such "Banay" land to remain unassessed if its extent is below an acre, and to assess it proportionately if more than that acre. Following this principle, I would exempt from assessment all back-yard lands in Mysore below one acre in extent. Such lands are very common in the greater part of the coffee-producing talooks, and the exemption made in favour of small patches will be a very acceptable boon to the people. It would not be profitable for the Government to undertake the minute measurement which an assessment of all such fragments would entail, so that all small plots held by any single individual, of which the aggregate area is less than one acre, should be exempted from assessment.

24. The fourth point which occurs to me is the course to be followed in respect to the cultivation of coffee on Inam lands referred to at the close of paragraph 5. As above remarked, the cultivation of any produce on such lands may be prohibited by Government, or rather, properly speaking, it is by custom limitable. At present, coffee grown on Inam lands pays the halut duty; but to impose a land tax on it would appear to be contrary to the principle of a rent-free holding, while the prohibition of the cultivation would, I think, be an arbitrary measure. At the same time, it must be remembered that a double system, both of excise and of acreage, cannot be maintained, as all the coffee grown on rent-free lands would be smuggled out as the produce of assessed lands; while it would not be worth while wholly to keep up an excise agency for the collection of the Government dues from Inam lands only. As coffee, however, was never grown on Inam lands when they were assigned on rent-free tenure, and as the Government has from the commencement levied a duty on coffee, whether grown on Sirkar or Inam lands, there does not appear to me to be any impropriety in informing the Inamdars that, if they elect to grow coffee, they must submit to the imposition of an acreage on all the coffee-growing portions of their tenure. Should this be considered open to objection, it will, I think, be necessary to circumscribe the holdings of the Inamdars who grow coffee to the precise limits and area specified in their Sunnuds. Of the two alternatives, they would undoubtedly prefer the former, as it is a well-ascertained fact that the principal holdings of this nature are far larger than the terms of the Sunnuds warrant.

25. I now come to the principle which should, in my opinion, be adopted in fixing an acreage. It must be remembered that, as regards the greater portion of the grants, we have to deal with an enterprise which, where real capital and not mere speculation has been brought to bear on it, has been avowedly successful. The merits of this result are due to those who led the way, and have sunk much money and laboured hard to make the most of their undertaking. I should, therefore, feel inclined to advocate an acreage sufficiently low to encourage judicious cultivation and to promote the influx of English capital; while at the same time, by imposing the assessment on all land comprised in grants, whether cultivated or uncultivated, it would be sufficiently high to induce people to turn the land to the purpose for which it was allotted, so that no man should hold an extensive grant with a view to keeping others out, or until it may rise in value and he can sell it piecemeal; or, in other words, that it would not be for his interest to retain a larger area than he could plant *bonâ fide* with coffee within a reasonable period.

26. I have remarked above that coffee-trees generally come into bearing in the fourth year; but the produce is only about a half crop, if so much, and I should not, therefore, recommend any assessment before the fifth year. After full consideration of the subject, and weighing the views of the superintendents, I am inclined to suggest the following scale of assessment:—

From 1st to 4th year.—The land to be rent-free from the date of acceptance by the district officer of the tender for the grant.

From 5th to 9th year.—One rupee per acre on the whole area.

From 10th and subsequent years.—Two rupees per acre on the whole area.

27. Two other calculations have been suggested:—

I. Assuming that 1,000 trees are planted in an acre, according to the existing form of puttah, one-half the grant should be planted at the close of five years. It has been proposed on this basis to assess the planted portion at two rupees, commencing from the sixth year,

year, leaving the rest of the grant for five years longer, when the whole would be assessable at that rate.

II. As the number of trees in an acre, according to the improved system of planting, ranges from 500 to 700 only, it may be assumed that more than half the grant will in reality be planted within the term prescribed in the puttah. But an assessment of two rupees on the whole planted portion of the grant would be probably very heavy in some cases, and prove a serious obstacle. It has, therefore, been proposed to charge one rupee per acre in the fifth year, and during the succeeding five years two rupees on half (the assumed planted area), and one rupee on the remainder—*i. e.*, one and a half rupee on the whole grant. This to be continued till the tenth year, when the whole would be rated at two rupees.

28. My proposition is more liberal than either of the above; but I think that, in substituting an acreage for a long established duty, which is cheerfully paid by the native planters, who form numerically the bulk of the individuals engaged in coffee cultivation, regard must be paid to local usages, and care be taken to introduce a new system in the shape which will be most acceptable to the people. It may also be deemed advisable to give as much encouragement as possible to the European settler who, though he cannot in my opinion claim his land as waste, will hold it on such favourable terms as cannot but promote his enterprise. It is self-evident that the terms according to which the puttahs have been hitherto issued are, under any circumstances, most liberal, ample time and opportunity being given to make the most of the grants before any Government tax is levied on them, while no restriction has been placed on their area.

29. I do not think it possible to give any trustworthy statement of the financial bearing of the proposed change: *first*, because the area of the plantations given in paragraph 16 is of doubtful accuracy; and *secondly*, because I have no means of ascertaining with certainty whether the halut returns may be looked upon as *bonâ fide* statements. Last year 68,000 rupees were realised in Mysore, and about 40,000 rupees in Coorg; that is, 1,08,000 rupees for the two countries. At four annas per maund, this would represent an out-turn of 4,32,000 maunds, or 1,08,000 cwt.; but it is impossible to strike on this an average per acre, and so educe the number of acres, owing to the remarkable difference between the produce of the several talooks and plantations. An examination of the return shows, however, that, if one calculates the average yield of an acre cultivated with coffee by European agency to be 20 maunds, and that of one cultivated by natives to be four maunds, the quantity of acres under cultivation is vastly in excess of the total shown in the superintendent's papers.

From *H. Mann*, Esq., President of the Coorg Coffee Planters' Association, Mercara, to *L. B. Bowring*, Esq., Commissioner of Mysore, Bangalore; dated 25 June 1862.

I HAVE the honour, by desire of the Coorg Coffee Planters' Association, to convey to you, through the officiating superintendent of Coorg, the accompanying address of congratulation on your assumption of office, and to enclose a petition, respectfully submitting for your favourable consideration, with a view to their redress, the several points which bear with hardship on the Coorg planters, compared with other colonists under the British rule in India.

The Association of Planters feel assured that you will liberally interpret the prayer of their body, as set forth in their petition, and trust that you will transmit it to the Government of India with your powerful support.

To *L. B. Bowring*, Esq., Commissioner of Mysore.

WE the undersigned Members of the Coorg Coffee Planters' Association, beg respectfully to congratulate you on your appointment to the Commissionership of Mysore and Coorg.

From your intimate knowledge of the wise and enlightened policy of Lord Canning's Government, we feel assured that you will liberally interpret the Resolution of the Governor General in Council, dated 17th October 1861, regarding the sale of waste land in perpetuity, free from all prospective demands, from which we anticipate that the most beneficial results will flow to this Province.

We entertain most sanguine hopes that in our enterprise here we shall receive encouragement and assistance from you; and that on our making known to you the difficulties under which we labour, they will receive your attention and consideration, and that our condition as colonists will be ameliorated. The existing state of things here has now the effect of deterring rather than encouraging settlers. But we who are now engaged in coffee cultivation have felt assured that on our united representation to Government of the impediments to colonisation here which do not obtain elsewhere, those obstructions would be removed, being obviously impolitic and at variance with the best interests of Government.

We need scarcely point out to you the benefits that have accrued to this Province since the introduction of European capital with energy to direct it: the revenue is increased;

the condition of the people employed by planters is improved, and they are enabled both to live and clothe better. The Coorgs themselves are enriched; grain, and, in fact, everything the country produces is enhanced in price nearly two-fold, and Coorg is now essentially in a flourishing condition.

We confidently believe that, in your administration here, you will be actuated by the same liberal principles that have of late characterised the acts of the Supreme Government.

We trust that you may enjoy perfect health to enable you to conduct your labours, and that your accession may be the inauguration of a period of increased prosperity to all under your rule.

We beg respectfully to subscribe ourselves,

(signed) *Henry Mann*,
and 63 other Members.

The 25th June 1862.

Dated Mercara, the 25th June 1862.

THE PETITION of the European and Native Colonists and Planters, under Her Majesty's Rule in the Province of Coorg, adjoining the Mysore State, East Indies, to the Commissioner over the said Province, for the consideration of the Government of India,

Praying,—That they may be identified with settlers in other parts of Her Majesty's British dominions, and that they may be released from certain rules existing in this district, which preclude them from deriving any advantage from the liberal Resolution of the Government of India, lately published, regarding the disposal of waste land and the redemption of the tax on assessed land.

Humbly showeth,

1. That so long as the present halut or transit duty is levied on coffee in Coorg, no benefit can be derived by your petitioners in purchasing the land on which their plantations are formed, and therefore that the boon offered to settlers in all other parts of India is denied to them.

2. That the withdrawal of this tax should be immediate, as the recurrence of liabilities connected with the tenure of land in this district subjects planters to periodical expenditure, which might be avoided by an early settlement of this question.

3. That their land may all be considered as waste land, the only part now under cultivation having been brought so entirely at the expense of your petitioners, without any assistance from Government whatever, so that the fact of having spent a large sum of money, and exerted themselves to the utmost to improve their land, may not operate against them.

4. That grants-in-aid be given to parties constructing roads, which meet with the approbation of the Local Superintendent of Coorg; and that the two great trunk roads to the sea be kept in good repair.

5. Having no means of making remittances for their current expenses, save through the Government Treasury, your petitioners ask that facilities for this purpose may be extended, and, as in duty bound, shall ever pray.

(signed) *H. Mann*,
and 63 other Members.

From *L. Bowring*, Esq., Commissioner of Mysore, to *H. Mann*, Esq., President of the Coorg Coffee Plantation Association; dated Bangalore, 30 June 1862.

I HAVE the honour to acknowledge the receipt of the address of June 25th, which you have forwarded to me on the part of yourself and other residents of Coorg, European and Native, and beg to return to you my sincere thanks for the kind wishes contained in it.

I shall always be ready to give you every encouragement in my power in promoting your enterprise, so far as may be consistent with the intentions of the Government and the general interests of the district.

I beg that you will favour me with your views as to the system which may most advantageously be introduced, in substitution of the present halut or excise on coffee; for although I observe that you recommend its abolition, it does not appear that you advocate the introduction of any other arrangement as preferable.

I have called upon the Superintendent of Coorg to prepare a report on the general bearings of the question, on the receipt of which, and of your views, I shall be prepared to submit my own opinion for the orders of the Government.

As regards roads in the district, I beg to state that I have already addressed the Government of India on the subject; and I trust that a larger allotment from the revenues of the district will be made in future, with the object of developing the communications.

I request that you will have the goodness to inform me in what respect the facilities of making remittances through the Government Treasury are at present deficient, so that I may give the question early consideration.

From *H. Mann*, Esq., President of the Coorg Coffee Planters' Association, Mercara, to *L. Bowring*, Esq., Commissioner of Mysore, Bangalore; dated 22 July 1862.

I HAVE the honour, on the part of the Association over which I preside, to acknowledge the receipt of your letter of the 30th June, and with reference to that passage in which you express a wish to have our views as to the system which may most advantageously be introduced in substitution of the present halut, I beg to state that we propose in lieu thereof to purchase our land outright on "fee simple," according to the terms of the Act of the Government of India lately promulgated;* and we consider that the proceeds of the sales, together with the advantages, both direct and indirect, which must necessarily accompany an increased and extensive settlement of European cultivators in the district, and the consequent flow of English capital thereto, will soon compensate for any temporary loss of revenue the Government may sustain in abolishing a tax in its nature exceptionable, and in its effect, in this instance, both burdensome and vexatious.

* Resolution of Government, No. 3264, 17 Oct. 1861, paras. 29 and 33.

We need not here expatiate on the general benefits which the country at large would derive from a full operation of the Land Sale Act, as these are known as well to you, sir, as to ourselves; but with regard to our own district, we may be permitted to say, that we feel assured the best policy the Government could pursue would be to remove all difficulties from the attainment of lands on fee simple, as such a measure would ensure the immediate flow of English money into the country, a great increase in the cultivation of waste lands, and a great improvement in the condition of the people.

For those who do not free their land by purchase, a land-tax may be imposed, and perhaps an acreage tax would be the most suitable, but this should merely be in default of purchase.

Natives may continue to invest capital in land under different guarantees and different modes of taxation; but Europeans will no longer be satisfied with any tenure but the fee simple, nor will property in land in this country have any negotiable value in England, or amongst European capitalists, which is not secured by this indemnity, and it is from England that capital to cultivate on a large scale must be looked for.

We can understand that the abolition of the halut will occasion some immediate loss to the Government in the item of revenue raised on coffee, and we have no scheme to propose which will at once offer a money equivalent; but the proceeds of sales of waste land with the tax on those not purchased will prove a considerable "set-off" against the loss, and this, coupled with all the collateral advantages attendant on extended colonization, will soon make recompense for the loss of any direct revenue it may be expedient for the Government to relinquish in the meantime.

We shall not here dwell on the objectionable nature of the halut, nor need we point out to you the fact, that the source from which the main loss to the Government will accrue is one in itself mischievous, being, in fact, no less than an income from a tax on industry, the proceeds of an additional imposition on those who at their own cost and labour improve their circumstances, by developing the resources and improving the cultivation of their already taxed lands. We allude, of course, to the effects of the halut on the cultivators of Government farms or wurgahs.

With regard to further facilities for making remittances through the Government treasuries, we would deem it a favour if the periods in which the sums available for bills were lengthened, say from one month to a quarter or half a year, the balance undrawn carried from one month into the other (which at present is not the case); for instance, if, instead of 20,000 rupees for the month of June, 20,000 for the month of July, and 20,000 for the month of August, 60,000 rupees were held available for the quarter consisting of June, July, and August, the balance in June held available in addition to the full sum for July, we should then find the sums already sanctioned at present sufficient. But it is impossible for us beforehand to specify exactly the amount of cash we shall require in each month, though we might make an approximate guess with regard to three or six months.

We thank you for your kind offer of assistance in forwarding our enterprise, and we shall avail ourselves from time to time of the liberty of communicating with you on subjects which bear upon our interests.

PUTTAH* FOR COFFEE LANDS.

The Commissioner for the Government of the Territories of his Highness the Maharajah of Mysore.

Grants this puttah to on this day of

You having tendered to plant coffee trees in the lands of the village of in the hobly of in the talook of

Your tender is accepted, and the land in question is granted, the boundaries being as follows:

These lands are granted to you for the purpose of planting coffee, and should you raise any other crop upon them, lands thus appropriated will be liable to assessment according to the

* The puttahs issued to planters and ryots are half margin, English and Canarese.

the prevailing rates in the talook. By this, however, it is not intended that plantains, castor oil plants, or fruit trees, planted for the *bonâ fide* purpose of affording shelter or shade to the coffee, should be liable to taxation.

On the coffee trees coming into bearing you are to pay Government an excise duty or halut of four annas on every maund which is produced. This is in substitution of the ancient warum. This tax is subject to such revision as the Government of Mysore may at any time deem expedient.

For every acre of land which you take up under this puttah you must, within a period of five years, plant a minimum average number to the whole holding of 500 coffee trees to the acre. The Government reserves to itself the right of summarily resuming the whole or any uncultivated portion of the land mentioned in your puttah should you not conform to this condition.

You are exempt from the visits of all jungle and petty izardars, who will be prohibited from entering hereafter lands taken up for coffee cultivation, and you are empowered to fell and clear away the jungle; but previous to doing so you are bound to give six months' notice to the Sircar authorities, to enable them to remove or dispose of all teak, sandal, blackwood, or poon trees which may exist on the holding.

Should you wish to sell or alienate in any way the lands mentioned in this puttah, you must notify the same to the superintendent of the division, and this puttah must be forwarded for registration under the name of the new incumbent. Any attempt at evading the halut will involve confiscation of the article itself, together with a fine of twice the amount of halut leviable upon it.

All coffee gardens must be registered, and a puttah in this form taken out, within six months from this date, subject to summary resumption in case of failure.

Bangalore, 186 Commissioner.

— No. 21. —

Home Department.—Revenue.—No. 35 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

In continuation of our letter, No. 32, dated the 30th ultimo, we have the honour to transmit a report* submitted by the Government of Bengal, showing the extent to which waste lands have been sold to Europeans and Natives in the Bengal Presidency from January 1858 to the end of September last.

* Extract paragraphs 1 and 2 from a letter from Bengal, No. 4482, dated 30th November.
Extract paragraphs 1 to 3, from a letter from Board of Revenue to Bengal, No. 401, dated 10th November, and its enclosed Statements.

We have, &c.
(signed) *W. Denison.*
R. Napier.
H. B. Harington.
H. S. Maine.
W. Trevelyan.
W. Grey.

Fort William,
15 December 1863.

Enclosure 1, in No. 21.

Extract paragraphs 1 and 2 from a Letter from the Officiating Secretary to the Government of Bengal, to the Under Secretary to the Government of India (No. 4482); dated 30 November 1863.

With reference to your letters No. 4582, dated 24 July last, and No. 6422; dated 9th ultimo, I am directed to forward herewith copy of one* from the Secretary to the Board of Revenue, giving cover to a statement of waste lands granted and sold to Europeans and Natives from 1858 to end of September last, as required by the Right Honourable the Secretary of State for India.

* No. 401, dated 10th instant.

2. The Assam Returns, transferred to this office by the Foreign Department for re-submission to the Home Department, are not separately re-submitted as they are included in the Board's Returns.

LETTER from the Secretary to the Board of Revenue to the Secretary to the Government of Bengal (No. 401); dated 10 November 1863.

IN reply to the Under Secretary's endorsement, No. 2977, dated 27th July last, I am directed by the Board of Revenue to forward the statements, called for by the Right Honourable the Secretary of State, of waste lands granted and sold to Europeans and Natives from 1858 to the end of September last.

2. Statement A shows the lots settled under the old rules which did not provide for sales. Sales have taken place under the new rules, and, as far as regards Darjeeling, under the rules of 1859 also; these are included in Statement B.

3. Besides the lots shown as settled in Statement A, 128 applications from Europeans for waste lands in Cachar, comprising 423,511 acres, await survey and settlement; and, besides those shown as sold in Statement B, five applications from Europeans for waste lands in Sylhet, covering 10,500 acres, await disposal.

4. In the Soonderbuns the new rules have checked applications altogether. The Commissioner observes, that, except in the case of a few favoured localities, no applicants will be found willing to pay so high a price as *Rs.* 2. 8. an acre for waste lands. The Board have already, in the No. 192, dated 24th June last, addressed the Government on this subject; they have expressed themselves as opposed to a reduction of the minimum price.

(A.)

STATEMENT of Grants of Waste Lands under the old Rules from 1858 to 1863.

YEARS.	DISTRICTS.	Number and Area of Lots granted to Europeans.		Number and Area of Lots granted to Natives.	
		No.	Area in Acres.	No.	Area in Acres.
1858	Kamroop	2	322	—	—
	Durrung	1	201	—	—
	Nowgong	2	712	—	—
	Sunderbuns	—	—	10	50,440½
	Cachar	1	742	—	—
	Sylhet	1	2,117½	—	—
	Darjeeling	1	10	—	—
1859	Kamroop	1	9,326	—	—
	Durrung	2	642	—	—
	Nowgong	8	8,261¾	—	—
	Seebsaugor	7	3,778¼	—	—
	Luckhimpore	4	4,211¼	—	—
	Sunderbuns	3	25,123	11	62,942¼
	Cachar	4	4,049¾	—	—
	Sylhet	9	3,202½	—	—
1860	Kamroop	2	409	—	—
	Durrung	3	1,280	—	—
	Nowgong	7	6,044½	—	—
	Seebsaugor	7	4,503¾	—	—
	Sunderbuns	—	—	1	4,234½
	Cachar	10	33,238¾	—	—
	Darjeeling	1	1,200	—	—
1861	Nowgong	3	1,264¼	—	—
	Seebsaugor	8	7,359½	—	—
	Luckhimpore	6	4,214	1	192
	Sunderbuns	9	68,065¼	14	102,774¾
	Cachar	3	4,539½	—	—
	Darjeeling	38	18,754½	6	916
1862	Durrung	—	—	1	165
	Nowgong	11	9,639¾	—	—
	Seebsaugor	39	22,164½	—	—
	Sunderbuns	6	46,258½	12	85,031¾
	Cachar	12	12,869½	—	—
	Darjeeling	—	—	1	258
1863, Jan. to Sept.	Kamroop	14	5,625¾	4	1,014½
	Seebsaugor	2	1,028½	4	1,733
	Luckhimpore	4	2,960	2	1,398¾
	Cachar	21	96,759¼	—	—
	Sylhet	5	5,175	—	—
	TOTAL	257	416,051¾	67	311,101

(B.)

STATEMENT of Grants sold without reservation of Proprietary Rights from 1858 to 1863.

YEARS.	DISTRICTS.	Number and Area of Lots sold to Europeans.		Number and Area of Lots sold to Natives.	
		No.	Area in Acres.	No.	Area in Acres.
1860 - -	Darjeeling - - -	13	4,179	—	—
1861 - -	Darjeeling - - -	8	6,982	—	—
1863, Jan. to Sept. -	Darjeeling - - -	32	31,051¾	5	1,100
	Durrung - - - -	1	150	1	335
	Nowgong - - - -	6	2,943	—	—
	Luckhimpore - - -	2	1,437	—	—
	TOTAL - - -	62	46,742¾	6	1,435

Enclosure 2 in No. 21.

From *J. W. S. Wyllie*, Esq., Under Secretary to the Government of India, to *F. R. Cockerell*, Esq., Officiating Secretary to the Government of Bengal (No. 7940); dated 15 December 1863.

IN returning the original enclosures of your letter, No. 4482, dated the 30th ultimo, I am directed to request that you will state, for the information of the Governor-General in Council, whether the Lieutenant-Governor would propose in any way to modify the arrangements now in force for the disposal of lands in the Sunderbunds. The Board of Revenue may be understood from the fourth paragraph of their letter of November the 10th, No. 401, to the Government of Bengal, as adhering to the opinion expressed in their previous communication of June 24, No. 192, that no modification should be allowed except that which had already been conceded in respect of a preliminary survey, though if the opinion of the Commissioner stated in the same paragraph of the Board's letter of November 10 is accepted as correct, namely, that, "except in the case of a few favoured localities, no applicants will be found willing to pay so high a price as *Rs.* 2. 8. an acre for "waste lands," it might have been expected that it would lead the Board to modify the view which they had previously indicated.

— No. 22. —

Home Department.—Revenue.—No. 37 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

IN continuation of letter No. 35, dated the 15th instant, we have the honour to transmit the accompanying return* of waste lands sold to Europeans and Natives in the Madras Presidency from 1st January 1858 to the end of September 1863.

* From Madras Government, No. 2236, dated 9th December 1863, and enclosures.

We have, &c.
(signed) *W. Denison.*
R. Napier.
H. B. Harington.
H. S. Maine.
W. Grey.

Fort William,
22 December 1863.

Enclosure in No. 22.

From *J. D. Sim*, Esq., Secretary to the Government of Fort St. George, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 2236); dated 9 December 1863.

WITH reference to Mr. Under Secretary Wyllie's letters dated 24th July and 9th October 1863, Nos. 4582 and 6424, I am directed to forward, for submission to the Government of India, the accompanying letter* from the Board of Revenue, giving cover to a statement showing the extent of waste lands sold to Europeans and Natives in the several districts of this Presidency from 1st January 1858 to the end of September 1863.

* Dated 1 December 1863, No. 7571.

(No. 7571.)

From *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, R. D.

Sir,

With reference to the Despatch from the Right Honourable Secretary of State for India, and Orders of the Supreme Government, communicated with the proceedings of this Government, dated 6th August 1863, No. 1464, I am directed by the Board of Revenue to submit the accompanying statement, showing the extent of waste lands sold in the several districts of this Presidency, distinguishing the sales to Europeans from those to Natives. The return embraces all the years from 1858 to 1862 inclusive, and the first nine months of the current year 1863. As the information had to be brought down to the latest date, *i. e.* to the end of September last, the Collectors could not furnish their returns to this office immediately on the receipt of the Board's Circular on the subject. The extent of land sold for building sites and other purposes under the Freehold Rules of August 1859, is included in the present statement.

2. The districts noted in the margin in which no sales took place are excluded. Of the extent sold in the remaining districts from 1858 to September 1863, the proportion of land sold to Europeans is smaller than that to Natives. The bulk of the sales took place in Coimbatore, being 2,571 acres out of 3,841 sold in the entire Presidency.

Vizagapatam.
Trichinopoly.
South Arcot.
Nellore.

I have, &c.
(signed) *W. Hudleston*,
Secretary.

Revenue Board Office,
Madras, 1 December 1863.
Copy to all Collectors.

Abstract Statement showing the extent of Waste Lands sold to Europeans and Natives from 1st January 1858, to 31st December 1862, and also in the first Nine Months of 1863, in the several Districts.

DISTRICTS.	1858.		1859.		1860.		1861.		1862.		January to September 1863.		TOTAL.		
	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Sold to Europeans.	Sold to Natives.	Total.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
1. Ganjam	–	–	–	–	21	–	17	–	–	–	–	–	38	–	38
2. Godavery	–	–	–	–	69	–	58	–	3	1	3	–	133	1	134
3. Kistna	–	–	–	–	–	–	1	–	2	1	–	–	3	1	4
4. Cuddapah	–	–	–	–	4	46	1	63	–	8	–	33	5	150	155
5. Bellary	–	–	–	–	–	–	2	–	26	5	–	–	28	5	33
6. Kurnool	–	–	–	–	6	6	–	–	–	–	6	2	12	8	20
7. Madras	–	–	–	6	9	–	5	47	6	89	–	26	20	168	188
8. North Arcot	–	–	–	–	–	2	–	–	–	–	–	–	–	2	2
9. Tanjore	–	–	–	–	–	–	–	–	–	3	–	5	–	8	8
10. Madura	–	–	–	–	–	–	11	–	113	6	108	3	232	9	241
11. Tinnevelly	–	–	–	13	–	4	55	4	–	–	–	–	55	21	76
12. Coimbatore	54	35	343	38	63	22	236	1,176	13	170	307	114	1,016	1,555	2,571
13. Salem	–	–	–	–	–	–	–	–	1	–	–	–	1	–	1
14. South Canara	–	–	–	–	–	–	–	4	16	65	–	–	16	69	85
15. Malabar	–	–	–	62	–	79	2	47	–	41	–	54	2	283	285
Total	54	35	343	119	172	159	388	1,341	180	389	424	237	1,561	2,280	3,841

(signed) *W. Hudleston*,
Secretary.

— No. 23. —

Home Department.—Revenue.—No. 38 of 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

In continuation of letter No. 33, dated the 30th ultimo, we have the honour to transmit the accompanying copy of a Return* of waste lands sold in the Central Provinces under the Resolution of 17th October 1861.

2. The information now furnished by the Officiating Chief Commissioner must be taken as modifying to some extent the Report made regarding the Central Provinces in our letter No. 21, dated 21st September last.

* From Secretary to Chief Commissioner, Central Provinces, No. 5364, dated 3d December, and enclosure.

We have, &c.
(signed) *W. Denison.*
R. Napier.
H. B. Harington.
H. S. Maine.
W. Grey.

Fort William,
28 December 1863.

Enclosure in No. 23.

From Captain *Hector Mackenzie*, Secretary to the Chief Commissioner, Central Provinces, to Colonel *H. M. Durand*, C.B., Secretary to the Government of India, Foreign Department (No. 5364); dated Nagpore, 3 December 1863.

In compliance with the instructions contained in your letter No. 325, dated 6th ultimo, I have the honour, by direction of the Officiating Chief Commissioner, to transmit a statistical return of the sale of waste lands in the Central Provinces, under Resolution of Government, Home Department, dated 17th October 1861. This includes the grant of land sanctioned in Mr. Meik's favour only, no other having taken place besides in these Provinces.

Statistical Return of the Sale of Waste Lands in the Central Provinces, under Government Resolution of 17 October 1861.

District.	Zemindaree.	Number of Acres.	Value.	Date of Orders for Grant.	Name of Grantee.	Remarks.
Belaspore -	Confiscated Estate of Sonakhan.	16,000	4 annas per acre.	24 June 1863 -	Mr. J. P. Meik -	Mr. Meik has not yet taken possession of the land.

Nagpore, 3 December 1863.

— No. 24. —

Home Department.—Revenue.—No. 1 of 1864.

N.B.—The last letter in this Department was No. 40, dated 31st December 1863.

To the Right Honourable Sir *Charles Wood*, Bart., G.C.B., Secretary of State for India.

Sir,

In continuation of letter No. 38 of 1863, dated the 28th of December, we have the honour to transmit copy of a Report* from the Government of the North Western Provinces, "showing the extent to which arrangements have been completed for the sale of waste lands and the redemption of land revenue under

* No. 28A, dated 11th January 1864, and enclosures.

under the terms of Lord Canning's Resolution, No. 3264, dated the 17th October 1861."

2. The further Report promised by the Government of the North Western Provinces will be forwarded when it is received.

We have, &c.
(signed) *John Laurence.*
R. Napier.
H. B. Harington.
H. S. Maine.
C. Trevelyan.
W. Grey.

Fort William,
6 February 1864.

Enclosure in No. 24.

(No. 28 A of 1863.)

From *R. Simson*, Esq., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India, Home Department, Fort William; dated Camp, Agra, 11 January 1864.

Sir,

With reference to the letter from your Department, No. 4206, dated 15th August 1862, and subsequent correspondence, I am directed to forward a copy of the papers noted in the margin, showing the extent to which arrangements have been completed for the sale of waste lands and the redemption of land revenue under the terms of Lord Canning's Resolution, No. 3264, dated 17th October 1861.

From Secretary, Sudder Board of Revenue, No. 92, dated 30th January 1862.
To Secretary, Sudder Board of Revenue, dated 15th April 1862.
From Secretary, Sudder Board of Revenue, North Western Provinces, No. 835, dated 19th November and Enclosures.
To Secretary, Sudder Board of Revenue, North Western Provinces, No. 27A of this date.

2. You will be again addressed as soon as the additional information called for has been submitted by the Sudder Board of Revenue.

I have, &c.
(signed) *R. Simson,*
Secretary to Government, North Western Provinces.

(No 92 of 1862.)

From *G. H. M. Batten*, Esq., Officiating Secretary to the Sudder Board of Revenue, North Western Provinces, Allahabad, to Sir *George Couper*, Bart., & C. B., Secretary to Government, North Western Provinces; dated Allahabad, 30 January 1862.

Sir,

I am directed, by the Sudder Board of Revenue, to submit, for the approval of his honour the Lieutenant Governor, the following replies, which the Board propose to issue, to questions put by the Commissioner of Kumaon, on certain points in connexion with the grants of land in that division. The questions and answers are as follows:—

Present:—W. Muir, Esq., Senior Member.

First. A village containing five square miles, within its settlement boundaries, paying 100 rupees of revenue on the assessed cultivated area of 100 acres, is applied for in fee simple by A. Does A. by paying 2,000 rupees acquire full right and title within the five square miles included within his settlement boundaries; or is such right limited to the assessed cultivated area with a portion of waste land? Of the latter what proportion of waste is to be assigned to 100 acres of cultivated land?

2. *First.* The Commissioner inquires whether a Zemindar by paying 20 years' jumma acquires a full proprietary right over the entire area assigned to the village at settlement? Under the system of settlement pursued in the plains, he undoubtedly would; but the settlement in Kumaon, Gurhwal and Jounsar, has been necessarily made on other principles.

3. The assignment of areas to villages in those districts does not convey a full proprietary right as against Government, but only a certain exclusive right as against neighbouring Zemindars, and the contingent right of extending cultivation throughout those areas.

4. In so far as they cultivate, and actually occupy, any portion of their areas, the Zemindars acquire a full proprietary right; but it has been held that, in respect of all uncultivated and unoccupied land, the Government has the right to resume it and assign it in grants or otherwise to third parties. Redemption of the land tax does not create any new rights of proprietorship, but only fixes existing rights in perpetuity free of Government demand.

5. The Board, therefore, hold that a Zemindar by redeeming his revenue simply redeems the land he has in actual occupancy, or may during the currency of the existing settlement cultivate and occupy without infringing the Government right above indicated.

6. There would, however, be no need to assign any limit of waste and grazing land, until the necessity for so doing should arise in consequence of the Government asserting, in any case, its right to appropriate any unoccupied part of the areas of a village.

Second. A village of 90 acres was assessed at last settlement at two rupees yearly jumma, in consequence of insalubrity of climate, danger from tigers, and destruction to crops from deer. Can this area be purchased in fee simple for 40 rupees? The whole is now under cultivation. If the land cannot be bought for 40 rupees, can it be purchased at five rupees per acre, the price of cleared land?

7. *Second.* Supposing a village to be entirely cultivated, and settled in proprietary right at an assessment of two rupees per annum, the Board do not see what hindrance there is, under the resolution, to its being redeemed at 40 rupees for ever. This price may be entirely inadequate, but the provisions of the Resolution must be maintained inviolate even where reduction of assessment has been allowed with an avowedly temporary view; the reduced jumma will be the standard of redemption unless the precaution had been taken of keeping the former jumma, on the books of Government, as the assessment to be eventually reverted to.

Third. The Ghurwal settlement has expired; can the proprietors of land, in cases similar to the one above, purchase by paying 20 years' revenue if the offer be made before the new jumma is sanctioned, or at what date does the would-be purchaser forfeit his right?

8. *Third.* Under the rules submitted by the Board to Government the old jumma would be the standard until the new jumma had been given out. If this will be approved by the Government of India, it will answer the question.

Fourth. The Kumaon and Ghurwal settlements were made by guess as regards area. Village A contains by the settlement record 30 acres, and is assessed at 20. Village B. by the same record has an area of 60 acres, and is assessed at 50. By actual measurement Village B. has only 30 and Village A. 50 acres; can the proprietor of A. purchase his village at 400 rupees? The difference above shown not arising from inequality of soil but from false reports of native officials as regards area. In this case A., in consequence of false returns, would have the advantage of purchasing 50 acres at the price demandable on 30, while B. could only avail himself of the same order by paying for 30, the price of 60 acres.

9. *Fourth.* Actual areas cultivated or occupied would be redeemable at the recorded jummas; cases of fraud, of course, would be liable to re-consideration on their merits.

Fifth. In the Kumaon and Ghurwal Hills no one per cent. Road Fund has ever existed, and the sum would be utterly inadequate to the work,—every village is compelled to supply a fair amount of labour. If this system were abolished, a one per cent. Road Fund would not be sufficient to build a few bridges, without repairing a foot of road. According to Government order, regarding the sale of waste lands, the fee simple purchaser is to pay one rupee on every 1,000 paid. If this be recognised in these Hills, are those who do not purchase to do the road and bridge work of those who do buy?

10. *Fifth.* Existing liabilities are unaffected in case of redemption, and where there is at present liability to furnish labour for the repair of the roads, there the labour system would continue; but in the case of sale of waste lands the provision in Article IV. of the Grant Form would hold good, and no further demand would be legal.

Sixth. Up to the present time no demand was ever made on account of Putwarrees. It is found that the number of Putwarrees, equal to the work of the district 20 years ago, is now quite insufficient; and in the current Ghurwal settlement a cess to supply the deficiency is being levied. Are fee simple purchasers exempted from this cess? As all police duties are performed by Putwarrees in these Hill districts, can grantees be called on to pay in lieu of the Chowkeedaree tax towards the Putwarree establishment? In the Hills there are no Chowkeedars.

11. *Sixth.* The same principle applies to Putwarrees. In new grants the entertainment of these cannot be enforced.

Seventh. Are such grantees exempt from all demands on account of Dâk Funds and School Cess? If liable to the demand, may they commute the yearly payment by giving it in one sum equal to 20 years?

12. *Seventh.* They are exempt.

13. I am to add that these constructions were concurred in by Mr. Money before his departure.

I am, &c.
(signed) *G. H. M. Batten,*
Officiating Secretary, Sudder Board of Revenue, North West Provinces.

(No. 321 A.)

From Sir *George Couper*, Bart., and C. B., Secretary to Government, North Western Provinces, to *G. H. M. Batten*, Esq., Secretary, Sudder Board of Revenue; dated Nynee Tal, 15 April 1862.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 92, dated 30th January last, in which the Sudder Board of Revenue submit certain replies which they propose to issue to the Commissioner of Kumaon regarding the grant of waste lands in fee simple.

2. In reply, I am desired to state, for the information of the Board, that, under the explanation furnished in your 4th paragraph of the principles on which the settlements in the Hill districts have been made, and of the right reserved to the Government of granting away uncultivated and unoccupied lands, the Lieutenant Governor agrees in the opinion which the Board have expressed in paragraphs 5 and 6, and in the instructions which they propose to issue to the Commissioner of Kumaon, to the effect that a zemindar by redeeming his revenue simply redeems the land he has in actual occupancy, or may, during the currency of the existing settlement, cultivate and occupy without infringing the Government right above indicated.

3. The Lieutenant Governor also concurs in the 7th paragraph of your letter under acknowledgment that, supposing a village to be entirely cultivated and settled in proprietary right at an assessment of two rupees per annum, there should be no hindrance, under the Resolution, No. 3264, dated 17th October 1861, to its being redeemed at 40 rupees for ever; and that, although the price may be deemed inadequate, the provisions of the Resolution must be maintained inviolate, even where reduction of assessment has been allowed, with an avowedly temporary view. The case would be different, however, if the precaution had been taken of keeping a higher jumma on the books of Government, as the assessment to be eventually reverted to.

4. The view taken by the Board in your 8th paragraph, that in cases where the settlement has expired, the old jumma should be the standard for purchase until the new jumma has been given out, is, I am happy to state, correct.

5. The Lieutenant Governor further approves of the opinion expressed in the 9th paragraph of your letter, that actual areas, cultivated or occupied, should be redeemable at the recorded jummas, cases of fraud in false returns being held liable to re-consideration on their merits.

6. His Honor agrees with the Board that the liabilities which at present exist in Kumaon and Ghurwal, to furnish labour for the repair of roads, should continue as heretofore. With advertence, however, to the latter clause of your 10th paragraph regarding the provision in Article IV. of the Grant Farm being held good in the sale of waste land, and that no further demand would be legal, I am to refer the Board to the letter from the Secretary to the Government of India in the Home Department, No. 1376, dated 11th March 1862, copy of which was forwarded to your address with Government Order, No. 250 A, dated 2d instant, and to remark that, according to the instructions therein contained, the one per cent. Road Fund, where it exists in the Hill districts, cannot be redeemed, but must continue to be paid separately.

7. The Commissioner of Kumaon states in his sixth question that no demand has ever been made on account of Putwarrees; that the number at present employed is not equal to the work of the district, and that consequently in the current Ghurwal settlement a cess is being levied to supply the deficiency. His Honor is of opinion that under the provisions of paragraph 7 of Mr. Grey's letter, No. 1376, dated 11th March, as all police duties are performed by Putwarrees in the Hill districts, purchasers in fee simple can be called on to contribute towards keeping up the Putwarree establishment in lieu of the Chowkeedaree tax.

8. In conclusion, I am to state that grantees are exempt from all demands on account of Dâk Fund and School Cess, unless at any time, prior to purchase, they covenanted to pay them. In that case they would not be redeemable, but payable separately.

I have, &c.
(signed) *George Couper*,
Secretary to Government, North Western Provinces.

(No. 835 of 1863.)

From *B. Hardinge*, Esq., Officiating Secretary, Sudder Board of Revenue, North Western Provinces, Allahabad, to *R. Simson*, Esq., Secretary to the Government of the North Western Provinces; dated Allahabad, 19 November 1863.

Sir,

Present:—W. Muir, Esq., Senior Member, and R. Money, Esq., Junior Member.

In reply to the Orders of Government, No. 945 A (Revenue Department), dated 26th August 1862, and subsequent reminders, I am desired by the Sudder Board of Revenue to submit the accompanying statements showing the applications made under the terms of the Resolution of the Government of India, No. 3264, dated 17th October 1861, for the purchase of waste lands and the redemption of the land revenue.

2. Her Majesty's Secretary of State for India, in the 76th paragraph of his Despatch, dated the 9th July 1862, declared that any arrangements which had been actually completed under the provisions of the above-quoted Resolution, must be scrupulously carried into effect.

3. The rules regarding the purchase of waste lands under that Resolution having been prepared by the Board, were approved by the Government, North Western Provinces, and published under a Notification, No. 1358 A, dated the 11th December 1861. Those regarding the redemption of the land revenue were also prepared by the Board and submitted on the 6th December 1861, No. 873; but questions having arisen on certain points, the publication of the rules was postponed by Government, and before the points were decided, Sir C. Wood's Despatch of the 9th July 1862* was received, abrogating the rule for redemption excepting on certain special cases, and modifying the principles laid down for the sale of waste lands.

* First published in the "Allahabad Gazette" of the 26th August 1862.

4. Meanwhile applications not only for the purchase of waste lands but also for the redemption of the land revenue had in some districts been received, although it was impossible to take any definite action on them, until the expected rules should be issued.

5. Some of the applications for the purchase of waste lands having been reported to Government, his Honor the late Lieutenant Governor, in Orders No. 1297 A, dated 1st November 1862, reminded the Board that a general return of all such transactions which had been completed was required, and proceeded to determine how the word "completed" should be understood. The 4th paragraph of the Orders referred is quoted below.† The Board were desired to make up the statement to be guided by this construction. Subsequently, in dealing with the case of Mr. Meaking, who had made an application for land in Kumaon, had deposited earnest money, had had the land surveyed, and in anticipation of obtaining formal possession had prepared it for seed, and had shown the tea which he had obtained from the Government factory, his Honor observed‡ that if the application was not registered, it was the omission of the local authorities, and that Mr. Meaking was certainly entitled to obtain land under the terms of the cancelled rules.

‡ Government Order to Commissioner of Kumaon, No. 42 A, dated 12th January 1863.

6. Statement A. contains a list of all the applications for the purchase of waste lands which were made under the terms of Lord Canning's Resolution before Sir Charles Wood's Despatch of the 9th July 1862 was published. Some of the cases are applications for the purchase of lands held under the grant rules as allowed by paragraph 33 of the Resolution. In no such case except in No. 18 were the provisions of paragraph 50 applicable, as 20 years' purchase of highest jumma fixed for any year of the grant always considerably exceeded the price at *Rs.* 2. 8. per acre for uncleared land, and 5 rupees per acre for lands unencumbered with jungle.

7. Applying the liberal construction of Government to the word "completed," the Board would recommend that in all these cases the sales be carried out strictly in accordance with the terms of the Resolution of October 1861 and the rules laid down by Government, and the price might fairly be calculated on the assumption that the quantity of cleared land correspond with the amount which, under the terms of the grant ought to have been cleared at the date of application to purchase. For the purpose of calculation it would be necessary to assume that the clearing had proceeded at an equable yearly rate. It would not be fair to take into account the clearances made subsequently, and it would now be difficult to ascertain the amount that had been cleared at the time the application was registered. In cases Nos. 34 and 35 the separation of the shares to be purchased must of course be first effected. With regard to case No. 18, the Board would recommend that, under the circumstances,

† The Lieutenant Governor had proposed to recommend to the Government of India, that all transactions in respect of which an application had been made, and the requirements of the Resolution of October 1861, and the Rules originally published for these Provinces, so far as they relate to such application, had been fulfilled by the applicants, so far as it rested with him individually to fulfil them, should be regarded as "completed." But no such reference to the Government of India will now be necessary, the point, it is believed, having been ruled by the Government of India in accordance with the 22d of the Rules issued by the Government of Bengal, which is in the following words:—"Lands for the purchase of which application has been made under the Resolution of the 17th October 1861 will, if such application were duly registered, be dealt with in accordance with the terms of the said Resolution so far as the law allows."

stances, the Government right to the timber be sold to the applicants at the price fixed by the Collector and agreed to by the applicants. The Collector reports that the trees are chiefly saul, which have been mostly cut for the purpose of making ploughs, &c.; from what he can learn there is no timber likely to be serviceable for the Public Works Department. There are other descriptions of wood, mostly used for firewood, and there is young saul of an inferior description called "korin." The timber has not been preserved, the right of cutting being farmed yearly. The reservation of such a right would no doubt be seriously detrimental to the grantees, if they be allowed to purchase the feesimple of the grant.

8. The actual price to be paid in each case is not stated, as the details of cleared and uncleared lands have not been definitely ascertained. The exact amount will be settled on his Honor's communicating orders on the principle proposed in the preceding paragraph.

9. In Statement B. are entered all the applications for redemption of the land revenue of settled estates. As before mentioned, no rules for carrying into effect this part of Lord Canning's Resolution were issued by the Government; it was therefore impossible to take any action on the applications which were made for redemption.

10. In applying the instructions of Sir Charles Wood's 76th paragraph, as to the maintaining of transactions "actually completed," to cases of redemption of the land revenue, in these cases the Board think that a distinction may reasonably be drawn between them and applications to purchase waste lands.

11. In case of waste lands, the exact sum to be paid was not known till measurement, and, moreover, only one-tenth of the amount was required to be paid down. It was therefore reasonable in such cases to take the mere application as entitling the applicant to the full privilege of Lord Canning's rules.

12. But in the case of redemption of settled estates, the sum to be paid was actually known, and was by the original rules to be paid down at once. The Board would accordingly suggest for his Honor's consideration, whether it might not be fair and proper to restrict the application of the term "actual completion," as used by the Secretary of State, to those applications for redemption which were accompanied by an actual tender of the full redemption money.

13. Under paragraph 46 of the Resolution, it was declared that "in districts not permanently settled the party who has the right to pay the Government land revenue, rent, or jumma will be permitted to redeem it only when he also possesses the right of occupancy of the land." The Board understand by "right of occupancy" proprietary possession, and not tenant-right of occupancy, as under Act X. of 1859 many tenants may have a right of occupancy, and so, as it were, intervene between the proprietor and the soil. Where, therefore, the applicants are both malgoozars and zemindars the Board would allow of the redemption being carried into effect, provided that the land the revenue of which is sought to be redeemed be solely the property of the applicants. The redemption of undivided shares cannot be allowed unless reparation be first effected.

14. In the districts of Goruckpore, Dehra Doon, and Ghurwal resettlement was in progress. The Board suggest that if the new jummas had not been declared previous to the application for redemption, the purchase-money be calculated on the former jummas, otherwise on the new jummas.

15. With regard to the villages in Kumaon and Ghurwal, there is this peculiarity. In the nominal village boundaries are included vast tracts of waste land, the possible assets of which were not taken into consideration in making the settlement. The proprietors have no rights in such land beyond those of pasturage and collection of fuel, though it is understood that they are entitled to bring land under cultivation without any enhancement of the Government demand. Such rights have, however, only been allowed in the absence of any desire on the part of Government to make other use of the land, which is in fact exclusively Government property, the villagers being allowed to exercise certain rights on sufferance. It will therefore be necessary very carefully to define the redeemed area, which will ordinarily consist of the land under cultivation or recently thrown out of cultivation, together with such amount of uncultivated and waste lands as may serve for pasturage and fuel, and make the redeemed estate compact. The determination of this may be left to the local officers. Such rights as already exist in the remaining area included within the nominal village boundary will remain on the same footing that they have hitherto been.

I am, &c.
(signed) *B. Hardinge,*
Officiating Secretary, Sudder Board of Revenue.

STATEMENT (A.)

List of Applications for Purchase of Waste Lands under the Terms of Lord Canning's Resolution, dated 17th October 1861, made previous to the Publication of the Despatch of Her Majesty's Secretary of State.

Division.	District.	Number.	Name of Applicant.	Locality.	Date of Application.	Number of Acres.	Value.	REMARKS.	
						Acres.	*Rs. a. p.*		
Meerut.	Dehra Doon.	1	Colonel Smith - -	Chunderbunee -	8 Feb. 1862	635	1,595 – –	Ten per cent. of the purchase-money has been paid down in these three cases.	
		2	Mrs. C. B. Carbery -	Ditto - -	15 Jan. „	754	3,255 – –		
		3	Kadir Khan and Koora.	Ditto - -	27 Feb. „	312	1,177 8 –		
		4	Mrs. Vansittart -	Central Hope Town.	6 Feb. „	3,327	7,762 8 –	This land has been offered by Government to Mrs. Vansittart either as a grant at *Rs.* 7,762. 8., or as a zemindaree at an annual jumma of 500 rupees: *vide* General Order, No. 649A, dated 18 June 1862.	Mrs. Vansittart has not yet said which alternative she will adopt, and a petition from her has lately been sent to the Board for report: she is, however, entitled to the full benefit of Lord Canning's Resolution if she pleases.
		5	Dr. Whittall, Manager, Dehra Doon and N. W. of India Tea Company (Limited).	Eastern Hope Town.	7 Aug. „	3,503	14,285 – –	These are grants taken under the old rules. No new survey has been made, the Superintendent of the Doon having represented that the maps of the regular survey, made by Major Browne, were sufficient for the purpose, although small portions of the forest standing in the grants might have subsequently cleared. A survey by Plane Table would probably be less free from error tha if Major Browne's details were accepted. This was approved by the Board.	
		6	Ditto - - -	Arcadia - -	Ditto -	5,499	23,730 – –		
		7	Mr. J. Mackinnon -	Altic Farm -	10 Feb. 1862	2,590	9,452 8 –	The document prescribed by paragraph 18 of the Resolution of the 17th October 1861 (Form A. of the Rules of N. W. Provinces Government, dated 11th December 1861) has been given to the applicant.	
		8	Major J. Macpherson	Pirtheepore -	17 Feb. „	1,000			
		9	Lieut. Swetenham -	Ditto - -	13 May „	2,000	- -	Ditto; the measurement of these lands was not completed when the applications were reported.	
		10	Major Swetenham -	Chandpore -	Ditto -	400			
		11	Mr. Lemaistre - -	Bangala and Bumba Ruddee.	19 May 1862	3,000			

Rohilcund.	Meerut.	Dehra Doon.	12	Captain Lyster -	Bangala and Bumba Rudee.	5 Dec. 1861	-	-	- -	Both parties applied for land in the same forest. Captain Lyster advanced the price of measurement until the measurements are completed; it is not known whether the claims will clash.	If it be found that these claims clash, then that portion of the land which has been applied for by both must be put up to auction, under paragraph 30 of the Government Resolution.
			13	Ram Sing - -	Ditto - -	19 May 1862					
			14	Ram Nath, Debee Dutt, Mr. Snew, and Hunoomunt Pooree.	Ditto - -	6 May „	-	-	- -	All these parties applied for the same land; measurement was delayed owing to the rains, after which it was proposed to proceed to auction-sale, under Lord Canning's Resolution, paragraph 30.	This also must be put up to auction, under paragraph 30 of the Government Resolution.
			15	Major Swetenham and Lieut. Swetenham.	Nawada - -	30 May „	4,000		- -	The land applied for by these parties is in the same forest, but it has not been ascertained whether the larger application includes the smaller. The proclamation prescribed by paragraph 17 of Lord Canning's Resolution was made, but no further steps taken. If the two claims were found not to clash, it was proposed to proceed under that Resolution.	If the claims do clash, then the smaller claim of 75 acres must be put up for sale, under paragraph 30 of the Resolution.
			16	Gunput Roy - -	Ditto - -	25 Feb. „	75				
			17	Mrs. Dick - -	Dhool Kote -	19 Nov. 1861	1,000	-	-	Proclamation was made, but no further steps taken. All the above cases in Dehra Doon were reported by the Board, and General Order No. 1,207A, dated 1st November 1862, were thereon issued. It is proposed to treat all of them under Lord Canning's Rules.	The whole of the other Dehra Doon cases might be treated under the general rules laid down in Lord Canning's Resolution.
		Shajehanpore.	18	Messrs. Carew & Co.	Grant No. 1, Pergunnah Poorunpore.	1 May 1862	3,156	4,786 14	4	This was a grant under the old rules made in 1852. The applicants are the representatives of the grantee. The whole area of the grant is 3,156 acres, of which about 560 acres had been cleared at the time of the application, which would give 7,890 rupees as the purchase-money; but 200 rupees is the highest jumma fixed for any year during the currency of the grant. The applicants would therefore have been entitled to purchase the grant for 4,000 rupees, under paragraph 50 of Lord Canning's Resolution. At the time of the grant Government reserved the right to the timber, the cutting of which has been leased yearly at an average rent of *Rs.* 78. 7. 10. The grantees wish to purchase this right; and the Collector considers that 10 years' purchase is sufficient, as the value decreases yearly as the ground is cleared away. The grantees agree to this, and represent that unless they be allowed to purchase the Government right to the timber, the grant will be valueless to them, and they are prepared to relinquish it altogether. The Board recommend the arrangement being carried out accordingly.	The arrangement seems equitable, and might be sanctioned.

STATEMENT (A).—LIST of Applications for Purchase of Waste Lands under the Terms of Lord Canning's Resolution, &c.—*continued.*

Division.	District.	Number.	Name of Applicant.	Locality.	Date of Application.	Number of Acres.	Value.	REMARKS.	
						Acres.	*Rs. a. p.*		
GORUCKPORE.	Goruckpore.	19	Unnund Pershad -	Jungle Jurlaha, Plot No. 2.	14 April 1862	837	2,092 8 –	These plots were taken, under the old Grant Rules, in June 1861, at a premium of *Rs.* 289. 5.; but before the warrant was given Lord Canning's Resolution appeared, and the Collector offered the grantee the option of purchasing under the terms of that Resolution. This was accepted, and *Rs.* 3,412. 8. deposited after issue of an advertisement. The Board directed that these grants be considered as purchased under the terms of Lord Canning's Resolution.	This might be approved.
		20	Luchit Pershad -	Ditto, No. 3 -	Ditto - -	670	1,675 – –		
		21	Misree Lal - -	Jungle Bankee, Plot No. 4.	25 Aug. 1862	1,087	2,775 – –	This was a grant made under the Grant Rules in 1857; the highest jumma for any one year was 339 rupees, which, at 20 years' purchase, could give 6,780 rupees; but as only 23 acres were cleared, the price would not exceed 2,775 rupees, under paragraphs 29 and 50 of Lord Canning's Resolution.	These paragraphs might be held to apply.
		22	Ditto - - -	Ditto, Plot No. 5.	Ditto -	773	1,932 8 –	This was a similar grant, the highest jumma being 242 rupees. No land had been cleared.	The land being all waste, it apparently falls under the general rules laid down in the Resolution.
		23	Mrs. E. Ludovicus -	Tilkonea, Plot No. 3.	1 Feb. 1862	990	2,720 – –	This land was all uncleared. *Rs.* 2. 12. per acre was offered for it, and a notification for objectors issued.	The land being all uncleared, *Rs.* 2. 8. per acre was the highest price which could be demanded. It is not understood, therefore, how *Rs.* 2. 12. came to be offered, as there was apparently only one applicant.
		24	Dwarkanath Gungoly	Sukhnee, Plot No. 1.	17 May 1862	600	1,500 – –		
		25	Thakoor Dutt - -	Bankee, Plot No. 2.	Ditto -	787	1,967 8 –		
		26	Govind Doss - -	Ditto, No. 3	Ditto -	1,175	2,937 8 –		
		27	Sama Churn -	Ditto, No. 10	21 May 1862	923	2,307 8 –	The advertisement for objection was in all these cases issued.	
		28	Ditto - - -	Ditto, No. 11	Ditto -	1,014	2,622 8 –		
		29	Ditto - - -	Ditto, No. 12	Ditto -	1,023	3,357 8 –		
		30	Beebee Chunda -	Doomree, Plot No. 1.	12 April 1862	2,085	5,212 8 –		
		31	Choonee Lall - -	Ditto, No. 2 -	Ditto -	2,523	6,307 8 –		

Goruckpore.	32	Mr. W. Cooke -	Bagbagara -	17 Mar. 1862	13,023	65,115	-	-	This land is all cleared. It is a grant made in 1843. The highest jumma for any one year is 5,006 rupees, which would give 1,00,120 rupees as the purchase-money at 20 years.	
	33	Mr. F. M. Gibbon -	Birdpore - -	27 April „	29,316	-	-	-	In these lands the applicant holds undivided share, which he wished to purchase; *i. e.*, a three-anna share in No. 33, and one-third of No. 34. He was directed to get his share divided off before his application could be complied with.	The division must, of course, first be made.
	34	Ditto - - -	Doolaba - -	Ditto -	3,619					
	35	Mr. K. M'Iver -	Doomlote - -	1 Dec. 1861	348	-	-	-	The applicant has been put in possession, and the steps taken for completing the survey.	
	36	Ditto - - -	Timlee - -	Ditto -	380					
	37	Ditto - - -	Bhowtpore -	Ditto -	139					
	38	Ditto - - -	Komanee Grant	17 Dec. 1861	1,429	-	-		This is a grant under the old rules.	
	39	Colonel E. Money -	Doonagir - -	8 Jan. 1862	2,424					
	40	Ditto - - -	Paneea Koolee -	18 Mar. „	not measured.	-	-		No steps taken to ascertain area, &c. These should now be taken.	
Kumaon.	41	Mr. Meakin - -	Near Oodyaree Chiffloa, Dole and Loha Thal Mororria.	13 Feb. „	2,000	-	-		Mr. Meakin made three distinct applications, on behalf of himself and his two brothers in England. He has deposited 850 rupees. He was called on for some assurance that the concerns were *bonâ fide* separate, and not in partnership, as the maximum under the rules was 2,000 acres. Orders were passed on Mr. Meakin's application by Government to the address of the Commissioner of Kumaon, No. 42A, dated 12th January 1863.	Mr. Meakin seems clearly to be entitled to the benefit of the rules, provided that he shows satisfactorily that the concerns are quite distinct.
	42	Ditto - - -	Nag-ka-Danda -	Ditto -	700					
	43	Ditto - - -	Near Soma Oodyar.	Ditto -	300					
	44	Mr. Lyall - -	A patch north-east of Rye-koth.	29 Mar. 1862	104	-	-		After rough survey Mr. Lyall wished to take only 86 acres. He has not yet been put in possession. The land adjoins a grant under the old rules. Mr. Lyall would, perhaps, wish to take this land under those rules. The Senior Assistant Commissioner suggests that he be offered the option, which the Board, under any circumstances, would always advocate being given.	It seems quite fair to allow Mr. Lyall to have the option.
	45	Ditto - - -	Adjoining Chena-Panee.	30 Mar. „	24	-	-		The applicant has been put in possession.	
	46	Captain Darsey -	Adjoining present property of applicant.	27 Mar. „	176	-	-		Land surveyed, and applicant put in possession; the purchase-money was offered but not accepted, pending correct survey.	
	46 A.	Mr. C. J. R. Troup	Jouna - -	16 July „	470		-		It having been ascertained that there are no adverse claims, the applicant has been put in possession.	

STATEMENT (A).—LIST of Applications for Purchase of Waste Lands under the Terms of Lord Canning's Resolution, &c.—*continued.*

Division.	District.	Number.	Name of Applicant.	Locality.	Date of Application.	Number of Acres.	Value.	REMARKS.	
						Acres.	*Rs. a. p.*		
KUMAON.	Ghurwal.	47	Mr. Warrand - -	Gwuldun - -	20 Feb. 1862	About 400			
		48	Silkoth Tea Company	Mut Kota Khul and Ghoree Khurk, &c.	4 June 1862	- -			
		49	Mr. Richards - -	Seetoolee and Tolla Bheetea.	Feb. 1862	- -			
		50	Ditto - - -	Nugger Kanday and Latooryee.	Ditto -	- -		Nos. 47 to 55 are grants under the old rules; the surveys are in progress; the applicants all wished to purchase under paragraph 33 of Lord Canning's Resolution.	
		51	Mr. Warrand - -	Talwarree - -	7 April 1862	„ 400	- -		
		52	Major Mayne - -	Jukh and Bhourkia, &c.	23 June 1862	- -		It has been reported that the grantee of No. 55 has since thrown up his grant.	This should be ascertained without delay, and reported to Government.
		53	Ditto - - -	Patol Chouree Kona Khet, &c.	Ditto -	- -			
		54	Mr. Richards - -	Bhundareyee, Kunai Nunda, &c.	Feb. 1862	„ 600			
		55	Mr. Gonne - -	Beenee Tal -	9 June 1862	- -			
		56	Mr. Troup - -	Bena Tolee Surtolee.	20 Feb. 1862	„ 300	- -	Boundaries put up, disputes decided, planting commenced.	
		57	Mr. Warrand - -	Kouria Sango and Dourh.	7 April 1862	„ 400	- -	Possession of part given, part thrown up.	
		58	Mr. Henry - -	Binsur - -	April 1862	„ 800	- -	Planting commenced.	
		59	Major Mayne - -	Mulla Seewan Soomerpore	8 July 1862		- -	Thrown up.	
		60	Mr. Webber - -	Ugrora - -	15 Aug. 1862	„ 300	- -	Boundaries fixed.	
		61	Mr. Warrand -	Below Jola -	4 Sept. 1862		- -	Thrown up.	

North-Western Provinces, Allahabad, } (signed) *B. Hardinge,*

STATEMENT (B.)

LIST of APPLICATIONS for the Redemption of Land Revenue under the Terms of Lord Canning's Resolution, dated 17 October 1861, made previous to the Publication of the Despatch of Her Majesty's Secretary of State, dated 19 July 1862.

Division.	District.	Number.	Name of Applicants.	Name of Estate.	Date of Application.	Amount of Jumma to be Redeemed.	REMARKS.	
						Rs. a. p.		
MEERUT.	Dehra Dhoon.	1	Mrs. Vansittart -	West Hope Town Grant	13 Nov. 1861 -	1,374 – –	In all these cases the applications were duly registered, but no further steps have been taken.	It should have been stated whether the applicants ever offered to deposit the redemption money. This should now be ascertained.
		2	Mrs. Dick - -	Dolunwala - -	19 „ „ -	179 – –		
		3	Baboo Ramcoomar -	Shirpore - - -	27 „ „ -	53 – –		
		4	Mr. Hobson - -	Mukrietee - -	5 Dec. „ -			
		5	Major Swetenham -	Horawala - -	12 „ „ -	173 – –		
		6	Ditto - - -	Birsunnee - -	Ditto - -	32 – –		
		7	Ditto - - -	Chandpore Kulan -	Ditto - -	30 – –		
		8	Ditto - - -	Tilwaree - - -	Ditto - -	89 – –		
		9	Ditto - - -	Doom Nuggur -	Ditto - -	20 – –		
		10	Rai Nundram - -	Bajawala - -	19 Dec. 1861 -	98 – –		
		11	Ditto - - -	Nowa Nuggur - -	Ditto - -	24 – –		
		12	Ramnath and Nundlal	Meronwala - -	Ditto - -	48 – –		
		13	Ditto - - -	Hurbhujwala - -	Ditto - -	65 – –		
		14	Ditto - - -	Kundholee - -	Ditto - -	89 – –		
		15	Mohunt Pretum Dass	Umbeewala - -	20 Dec. 1861 -	68 – –		
		16	Ditto - - -	Bamunwala - -	Ditto - -	127 – –		
		17	Ditto - - -	Nalee Kulan - -	Ditto - -	50 – –		
		18	Dhoom Singh - -	Lukkunwala - -	21 Dec. 1861 -	195 – –		
		19	Ditto - - -	Byrageewala - -	Ditto - -	26 – –		
		20	Raja Lal Singh -	Nutunpore - -	Ditto - -	154 – –		
		21	Chotea - - -	Kanswala Kotee -	5 Jan. 1862 -	47 – –		
		22	Ditto - - -	Puttee Misras - -	Ditto - -	36 – –		
		23	Ditto - - -	Bhanwala - -	Ditto - -	50 – –		
		24	Nyn Singh - -	Kotee - - -	3 Jan. 1862 -	10 – –		
		25	Ditto - - -	Langta - - -	Ditto - -	49 – –		
		26	Ditto - - -	Keshowala - -	Ditto - -	32 – –		
		27	Bulram - - -	Biearna - - -	Ditto - -	20 – –		
		28	Ram Singh - -	Bhoputwala, Khoord	7 Jan. 1862 -	3 – –		
		29	Buktawur Singh -	Pirtheepore - -	4 Mar. „ -	48 – –		

STATEMENT (B).—LIST of Applications for the Redemption of Land Revenue under the Terms of Lord Canning's Resolution, &c.—*continued*.

Division.	District.	Number.	Name of Applicants.	Name of Estate.	Date of Application.	Amount of Jumma to be Redeemed.	REMARKS.	
						Rs. a. p.		
ROHILCUND.	Bijnour.	30	Choudrees Omrao Singh and Busunt Singh.	Khojistabad - -	20 Nov. 1861 -	149 1 –	Case No. 30 was reported to Government by the Board on which G. O. No. 395 A (Revenue Department), dated 25 April 1862, were issued. Under those orders action was suspended on these cases. In case No. 30 is included a resumed maafee patch of which the jumma is paid by the ex-maafeedar through the Chowdrees, the Zemindars of the village, who have no other rights in the patch (the jumma of the Chowdrees' own land in Khojistabad is *Rs.* 104. 8 *a.*), the transaction would, of course, extend only to the latter amount.	The same remark applies to these cases.
		31	Ditto - - -	Toorabpore - -	Ditto - -	60 10 9		
		32	Ditto - - -	Bhagee Jote - -	9 April 1862 -	248 10 –		
		33	Ditto - - -	Allehpore Moobarick	Ditto - -	60 10 9		
		34	Raja Pertap Singh -	Bullea Nuglee - -	31 Mar. 1862 -	90 15 9		
		35	Gholam Kadir Khan	Ourungabad - -	1 May „ -	56 9 8		
		36	Ditto - - -	Ghasseewala - -	Ditto - -	21 4 3		
		37	Ditto - - -	Soondurwala - -	Ditto - -	14 2 2		
		38	Ditto - - -	Mitheewala or Kotkadir.	Ditto - -	24 4 4½		
		39	Ditto - - -	Mooradbukshpore -	Ditto - -	7 1 1		
	Bareilly.	40	Mr. Berkeley - -	Manpore Chubsotiya	10 Dec. 1861 -	1,000 – –	Action on Mr. Berkeley's application was also suspended, until the Rules regarding the redemption of Land Revenue should be approved and published.	Ditto - - ditto.
		41	Ditto - - -	Nubbee Nuggur -	Ditto - -	650 – –		
		42	Ditto - - -	Doobaree - -	Ditto - -	150 – –		
		43	Ditto - - -	Palpore Kumalpore -	Ditto - -	937 – –		
		44	Ditto - - -	Furreedpore - -	Ditto - -	189 – –		
		45	Ditto - - -	Kanbeerpore - -	Ditto - -	268 8 –		
		46	Ditto - - -	Ghunghora - -	Ditto - -	450 – –		
		47	Ditto - - -	Pusra Tans - -	Ditto - -	450 – –		
		48	Ditto - - -	Town-house compound.	Ditto - -	100 – –		
		49	Ditto - - -	Mohunpore - -	Ditto - -	498 7 2		
		50	Ditto - - -	Mutkapore Bahampore.	Ditto - -	450 – –		
		51	Shaikh Umeer Alee -	Semra - - -	3 Jan. 1862 -	125 – –	Ditto. In these cases the redemption money was deposited in the Collector's Treasury, but has since been refunded.	These are apparently the only cases in which the redemption money was actually deposited in the Government Treasury.
		52	Ditto - - -	Balpore - - -	Ditto - -	160 – –		
		53	Motee Ram Sah -	Chengree - -	20 Jan. 1832 -	71 – –		
		54	Sheikh Budroo-deen	Untooa - - -	Ditto - -	25 – –	Action suspended. All the cases in the Rohilcund Division were reported to Government by the Board, on which orders No. 127 A, dated 26 January 1863, were issued.	It appears from the enclosures to the Board's letter to which G. O. No. 127 A is a reply, that in this case "no money was lodged, but the applicant has been informed that his tender cannot be received." It should be ascertained and reported whether the redemption money was tendered and refused.

Allahabad.	Allahabad.	55	Mr. Masson - -	Mouzah Baghea Balum.	May 1862 -	124	3	6	The land in question formed the compound of Mr. Masson's dwelling-house. The redemption was approved in G. O. No. 726 A, dated 5th July 1862, the money has been paid, and Mr. Masson given a warrant.	This case has already been settled; it comes under Sir C. Wood's Despatch, as well as under the Resolution of October 1861.
Goruckpore.	Goruckpore.	56	Mr. J. Greenfield -	Poondeepore (4 annas share) -	30 Jan. 1862 -	144	-	-	On the dates mentioned, the applications were forwarded by the Collector to the Commissioner, who issued orders allowing the applicants to deposit the redemption pending the issue of the Rules by Government. No money was deposited, and no further action taken. The jumma is that of the settlement just expired, and would stand good, provided the new jummas had not been given out when the applications were made.	As the applicants were permitted to deposit the purchase money, and failed to avail themselves of the permission, the phrase "actually completed" cannot, of course, apply to these cases.
		57	Ramsuroop - -	Proskhas - -	14 Mar. „ -	187	-	-		
		58	Ditto - - -	Chynpore - -	Ditto - -	179	-	-		
		59	Ditto - - -	Gungaram - -	Ditto - -	204	-	-		
		60	Ditto - - -	Luchmeepore - -	Ditto - -	160	-	-		
		61	Ditto - - -	Siswaraja - -	Ditto - -	228	-	-		
		62	Ditto - - -	Sidhoana - -	Ditto - -	192	-	-		
		63	Ditto - - -	Belraeen - - -	Ditto - -	148	-	-		
		64	Ditto - - -	Doheea - - -	Ditto - -	50	-	-		
		65	Ditto - - -	Ranee Deeha - -	Ditto - -	13	-	-		
		66	Ditto - - -	Boodha Deepkulan -	Ditto - -	95	-	-		
		67	Ditto - - -	Ditto Khoord -	Ditto - -	87	-	-		
Kumaon.	Kumaon.	68	Mr. K. McIver -	Konsariee Nakonee -	17 Dec. 1861 -	4	-	-	No steps taken beyond ascertaining the amount of jungle and clearing, at the time of application.	In regard to all these cases, it should be ascertained and reported whether the redemption money was tendered by the applicants and refused by the local authorities.
		69	General Story - -	Chuttea - - -	9 Nov. „ -	22	-	-		
		70	Ditto - - -	Beenga - - -	Ditto - -	22	-	-		
		71	Ditto - - -	Leealee - - -	Ditto - -	9	-	-		
		72	Ditto - - -	Part of Mowa - -	Ditto - -	20	-	-		
		73	Mr. Troup - -	Ojoola - - -	1 Feb. 1862 -	30	-	-		
		74	Ditto - - -	Maingree - - -	Ditto - -	32	-	-		
		75	Mr. Rich - -	Chinsoo - - -	18 Mar. 1862 -	14	-	-		
		76	Ditto - - -	Goomchu - -	Ditto - -	10	-	-		
		77	Kartheej and others -	Bamunsowal - -	16 April 1862 -	26	-	-		
		78	Ditto - - -	Moondgul - -	Ditto - -	10	-	-		
		79	The Hissahdars of Kussoun - -	Kussoun - - -	20 May 1862 -	50	-	-		
		80	Gujadhur and others	Bussan Puttee Rungore.	30 June „ -	4	-	-		
		81	Jai Sah - - -	Bhainsora Puttee Oochoor.	7 Aug. „ -	12	-	-		
		82	Mr. A. Warrand -	Dhunkark in Pergunnah Kutyoor.	24 April „ -	-	-	-		
Ghurwal.	Ghurwal.	83	Mr. Richards - -	Phurkundyal - -	Feb. „ -	-	-	-	No steps taken beyond ascertaining the amount of jungle and clearing at the time of application.	In regard to all these cases, it should be ascertained and reported whether the redemption money was tendered by the applicants and refused by the local authorities.
		84	Mr. Warrand - -	Chiringa - - -	7 April „ -	-	-	-		
		85	Silkoth Tea Company	Silkoth - - -	4 June „ -	-	-	-		
		86	Ditto - - -	Ghindyal - -	Ditto - -	-	-	-		
		87	Ditto - - -	Chupalee - -	Ditto - -	-	-	-		
		88	Ditto - - -	Phurkundee - -	Ditto - -	-	-	-		
		89	Major Mayne - -	Soman - - -	23 June 1862 -	-	-	-		
		90	Mr. Webber - -	Ugsora - - -	15 Aug. „ -	-	-	-		

North Western Provinces, Allahabad,
19 November 1863.

(signed) *B. Hardinge,*
Officiating Secretary, Sudder Board of Revenue.

(No. 27A of 1863.)

From *R. Simson*, Esq., Secretary to the Government of the North-Western Provinces, to *G. H. M. Batten*, Esq., Secretary, Sudder Board of Revenue, North-Western Provinces; dated Camp Agra, 11 January 1864.

Sir,

I AM directed to acknowledge the receipt of your letter No. 835, dated the 19th November, with which you submit Statements A. and B., showing the applications made under the terms of the Resolution of the Government of India, No. 3264, dated 17th October 1861, for the purchase of waste lands and the redemption of land revenue, and am desired to communicate the following orders in reply:—

2. The delay which has been allowed to occur, in the submission of this report, is very much to be regretted, as has already been intimated to the Board in a separate communication.

Statement A.—Purchase of Waste Lands.

3. Among the cases reported in Statement A. there are several applications for the purchase of lands held under the Grant Rules; and the Board recommend that the sales, in all these cases, be carried out in conformity with the Resolution of October 1861. They think that the price might be calculated on the assumption that the quantity of cleared land corresponded with the amount which, under the terms of the grant, ought to have been cleared at the date of application; this proposal is made because a considerable time has since elapsed, and it is impossible now to ascertain the exact amount at that particular period. I am to express the concurrence of the Lieutenant-Governor in this view.

4. The Lieutenant-Governor, I am to observe, agrees with Mr. Edmonstone and the Board as to the construction to be put upon the words "actually completed" in paragraph 76 of Sir Charles Wood's Despatch, dated 9th July 1862, under which most of the grants entered in Statement A. will be maintained, although further inquiries must be awaited in several cases noted in the Statement before final instructions can be issued. The attention of the Board is called to the remarks recorded by his Honour in the appropriate column of the Statement, and it is requested that the required information may be furnished as soon as possible.

Statement B.—Applications for Redemption of Land Revenue.

5. In regard to the cases entered in Statement B., the phrase "actually completed," used in Sir Charles Wood's Despatch, has also to be defined. The Board are of opinion that as the actual sum payable for the redemption was known in every case, and by Lord Canning's rules had to be paid down at once, it would be fair and proper to restrict the term to those applications for redemption which were accompanied by an actual tender of the full redemption money. The Lieutenant-Governor, however, is very doubtful if the phrase can be considered applicable even to such cases; the non-issue by the local Government of rules under which the redemption could be carried out, appears to his Honour fatal to any idea of completion.

6. Further information seems to be required in regard to several cases in this Statement, and I am to request that this may be called for and submitted without delay; particulars will be found in the proper column.

* No. 321, dated 15th April.

7. As regards the grants in Kumaon and Ghurwal, I am to state that the orders passed by Mr. Edmonstone in April* 1862, on a reference from the Board, provide for all the questions now raised by the Board.

8. The Board's construction of the phrase "right of occupancy," in paragraph 46 of the resolution, to mean proprietary possession, and not tenant right of occupancy, is in his Honour's opinion, correct.

9. It is to be observed that in three cases only in Statement B has the purchase-money apparently been paid in; but, as already stated, the Lieutenant Governor is not prepared to concur with the Board in thinking that even in these cases the arrangements can be held to be completed. His Honour is of opinion that this question differs materially from that of grants of waste lands. In the latter case all the proceedings required under the resolution of Lord Canning might have been completed, and where the delay was attributable to defective action of local officers after the issue of the orders of the Government, the grants may fairly be considered good; but in the case of redemption of the land revenue the rules under which it might have been effected were never even issued by the Government; in no sense, therefore, can the proceedings be legitimately regarded as "completed" whether the redemption money has been paid in or not; moreover, in these cases, there is no good ground for overstepping the strict requirements of equity.

I have, &c.
(signed) *R. Simson*,
Secretary to Government, North-Western Provinces.

— No. 25. —

From Major *W. Agnew*, Officiating Commissioner of Assam, to *J. T. Wheeler*, Esq., Assistant Secretary to the Government of India, Foreign Department (No. 6); dated 13 October 1863.

IN accordance with the request contained in your circular memorandum 236, of the 13th August last, I have the honour to submit herewith the returns called for by you.

No. 1.—STATEMENT of Grant of Waste Lands under former Rules in the Division of Assam.

DISTRICT.	YEARS.	Number and Area of Lots granted to Europeans, in Serial Order.		Number and Area of Lots granted to Natives, in Serial Order.		REMARKS.
		No.	Area in Acres.	No.	Area in Acres.	
Kamroop - -	1858 - - - -	2	322 0 0	–	—	Of this, only 36 acres have been commuted to freehold on the 20th April 1863.
Durrung - -	1858 - - - -	1	201 0 0	–	—	
Nowgong - -	1858 - - - -	2	712 0 0	–	—	
Seebsagor - -	—	–	—	–	—	
Luckimpore - -	—	–	—	–	—	
	TOTAL - - -	5	1,235 – –	–	—	
Kamroop - -	1859 - - - -	1	9,326 0 0	–	—	
Durrung - -	1859 - - - -	–	642 0 0	–	—	
Nowgong - -	1859 - - - -	8	8,261 0 0	–	—	
Seebsagor - -	1859 - - - -	7	3,778 1 16	–	—	
Luckimpore - -	1859 - - - -	4	4,211 1 0	–	—	
	TOTAL - - -	22	26,219 1 17	–	—	
Kamroop - -	1860 - - - -	2	409 0 0	–	—	
Durrung - -	1860 - - - -	3	1,280 0 0	–	—	
Nowgong - -	1860 - - - -	7	6,044 2 15	–	—	
Seebsagor - -	1860 - - - -	7	4,503 3 22	–	—	
Luckimpore - -	1860 - - - -	–	—	–	—	
	TOTAL - - -	19	12,237 1 37	–	—	
Kamroop - -	1861 - - - -	–	—	–	—	
Durrung - -	1861 - - - -	–	—	–	—	
Nowgong - -	1861 - - - -	3	1,264 1 0	–	—	
Seebsagor - -	1861 - - - -	8	7,359 1 0	–	—	
Luckimpore - -	1861 - - - -	6	4,214 0 0	–	—	
	TOTAL - - -	17	12,837 2 –	–	—	
Kamroop - -	1862 - - - -	–	—	–	—	
Durrung - -	1862 - - - -	–	- -	1	165 0 0	
Nowgong - -	1862 - - - -	11	9,693 3 30	–	—	
Seebsagor - -	1862 - - - -	39	22,164 1 5	–	—	
Luckimpore - -	1862 - - - -	–	—	–	—	
	TOTAL - - -	50	31,804 0 35	1	165 0 0	
Kamroop - -	For nine months from from Jan. to Sept. 1863	14	5,625 1 0	4	1,014 2 0	
Durrung - -	Ditto - - -	–	—	—	—	
Nowgong - -	Ditto - - -	–	—	—	—	
Seebsagor - -	Ditto - - -	2	1,028 1 37	4	1,733 0 21	
Luckimpore - -	Ditto - - -	4	2,960 0 0	2	1,398 3 0	
	TOTAL - - -	20	9,613 2 37	10	4,146 1 21	
	1858 - - - -	5	1,235 0 0	–	—	
	1859 - - - -	22	26,219 1 7	–	—	
	1860 - - - -	19	12,237 1 37	–	—	
	1861 - - - -	17	12,837 2 0	1	192 0 0	
	1862 - - - -	50	31,804 0 35	1	165 0 0	
	1863 - - - -	20	9,613 2 37	10	4,146 1 26	
	GRAND TOTAL - -	133	93,947 0 36	12	4,503 1 21	

No. 2.—STATEMENT of Grants sold without Reservation of Proprietary Right in the Division of Assam.

DISTRICT.	YEARS.	Number and Area of Lots sold to Europeans, in Serial Order.		Number and Area of Lots sold to Natives, in Serial Order.		REMARKS.
		No.	Area in Acres.	No.	Area in Acres.	
Kamroop -	From January to September 1863	–	—	–	—	
Durrung -	Ditto - -	1	150 0 0	1	335 0 0	
Nowgong -	Ditto - -	6	2,943 0 0	–	—	
Seebsagor -	Ditto - -	–	—	–	—	
Luckimpore -	Ditto - -	2	1,437 0 0	–	—	
	TOTAL - - -	9	4,530 0 0	1	335 0 0	

Commissioner's Office, Assam,
13 October 1863.

(signed) *W. Agnew*,
Officiating Commissioner.

— No. 26. —

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to *A. M. Monteath*, Esq., Under Secretary to the Government of India (No. 471); dated 28 January 1863.

I AM directed to acknowledge the receipt of your letter, No. 474, dated the 19th instant, and with reference to Paragraph 2 of Orders No. 4206,* dated 15th August last, to forward, for the information of his Excellency the Governor General in Council, the papers noted in the margin, and to state that the full report called for from the Board of Revenue, regarding the arrangements made for the purchase of waste lands and the redemption of land revenue under the resolution of the 17th October 1861, will be forwarded as soon as it is received.

2. The attention of the Board has been particularly directed to the question of permanent settlements, and their report will be submitted in due course.

* *Vide* the previous Return, 14 April 1863, page 14.

Board to Government, No. 2, dated 5th instant.
Ditto, No. 3, dated 6th instant.
Government to Board, No. 292, dated 16th instant.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal (No. 2); dated 5 January 1863.

WITH reference to your No. 3463, dated 22d December, calling attention to Paragraph 13 of your No. 377 T, dated 30th August last, I am directed by the Board of Revenue to state that in his letter, No. 960, dated 26th September 1862, which was submitted to Government with my No. 349, dated 28th October 1862, the Superintendent of Darjeeling gave an account of every case of application for waste lands in which his predecessor had taken any steps under the misapprehension that he was authorised to act on the resolution of the Supreme Government, dated 17th October 1861. The detail was given Mr. Wake, with special reference to Clause 76 of the despatch of the Secretary of State of July 1862. The letter was disposed of by Government Order, No. 3112, dated 2d December 1862, which directed that no exception need be made in the issue of the advertisement required by Paragraph 17 of the resolution of the 17th October 1861. The subsequent Government letter, dated 30th December, somewhat modifies this order.

2. In his No. 171, dated 27th September last, the Commissioner of Dacca, referring to the resolution of the 17th October 1861, wrote that no lands had been assigned, but that "in Cachar 25 applications have been registered" for the redemption of the revenue and purchase of the fee simple of grants made under the old rules.

3. The Commissioner of Chota Nagpore wrote in his No. 1541, dated the 11th September that "in the Lohar Dugga District three applications for lands, made by different parties have, however, been registered."

4. It appears to the Board that Supplementary Rule O, annexed to Rule 22, in their Circular Order No. 63, dated 14th of October 1862, contains instructions sufficiently explicit for the guidance of local officers in the disposal of these cases.

5. The Commissioner of Assam has not stated whether any such applications were registered in his division. He has been called on to supply the information. The same call has been addressed to the Commissioner of Nuddea; but the Board believe that no such applications were made in the Soonderbunds; the result will, however, be reported.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal (No. 3); dated 6 January 1863.

Present: A. Grote, Esq. Member.

In reply to the Under Secretary's letter, No. 3402, dated 22d December, calling attention to Paragraph 11 of your Office Letter, No. 377 T, dated 30th August, I am directed by the Board of Revenue to state that no sales of waste lands or redemption of revenue have as yet been reported. They have called the attention of local officers to the subject, and expect that the statement, up to the end of January, will contain several items of sale.

From *S. C. Bayley*, Esq., Officiating Junior Secretary to the Government of Bengal, to *H. L. Dampier*, Esq., Secretary to the Board of Revenue (No. 292); dated 16 January 1863.

I am directed to acknowledge the receipt of your letter No. 2, dated the 5th instant, and in reply to state that the Lieutenant-Governor will await a full report from the Board regarding the sale of waste lands and the redemption of the existing land revenue. As it will have to be submitted to the Government of India, his Honour expects that the report may be made complete in itself without necessitating reference to separate correspondence.

— No. 27. —

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *H. L. Anderson*, Esq., Chief Secretary to the Government of Bombay (No. 567); dated 23 January 1863.

With reference to the letter from your office, No. 4267, dated 22d November last, I am directed to say that the Governor-General in Council approves of the proceedings of the Bombay Government in having sanctioned the proposal of the Commissioner of Scinde for the adoption in that province with the modification noted below* of the Rules published by the Government of Bengal for the sale of unassessed waste lands.

2. It appears to have been decided by the Governor in Council that "the question of redemption of land tax will not apply to Scinde," owing to the unsatisfactory character of the existing settlement, which does not enable the Government as yet "to fix any fair assessment on the land." The question, however, which was asked in the 3d paragraph of this Office Letter, No. 4245, dated 15th August last, had reference not to the redemption of the land tax, but to the permanent settlement of the land revenue. It is presumed that the words "redemption of the land tax" have been used in your letter under acknowledgment, and its enclosures, by mistake for "permanent settlement."

Report by *S. Mansfield*, Esq., Commissioner in Scinde (No. 188); dated 3 July 1863.

The Commissioner in Scinde begs to report that a permanent settlement of the land revenue in Scinde could not be introduced into Scinde till the operations of the revenue survey are completed, or about 10 years hence; for there are no data in existence on which a fair and equitable assessment could be fixed on the land.

2. Regarding the general question of a permanent settlement of the land revenue of India, the Commissioner in Scinde is inclined to think that it would be extremely

* That "when land has been surveyed and marked off into fields by the settlement officers, no portion of a survey field be ever transferred: the grant invariably being made to include the whole survey numbers or fields."

extremely hazardous on the part of Government to concede its right to increase the assessment on land as it increases in value.

3. It is almost unnecessary to remark that the land tax is extremely popular with the native community. It has been paid without a murmur from time immemorial, and an increase in it has never been objected to when the exigencies of the State demanded it. It is lighter now than it ever was before, and admits of indefinite extension. Such being the case, which nobody acquainted with India and its inhabitants can deny, the undersigned cannot understand why, in the absence of all complaint by the people, the Government should deprive itself of such a fertile source of revenue.

4. Her Majesty's Government appear to think that great political advantages would be gained in the security and in the increased value given to the land by the Government limiting its claim in perpetuity, and the people would be more loyal and attached to Government in consequence. With all due deference, the Commissioner begs to dissent from these conclusions; he is not aware that the holders of rent-free lands showed themselves in the mutinies more loyal than the occupants of land paying revenue to Government, and he does not think that a permanent settlement, in lieu of the present system of leases, would create in the minds of the landholders a feeling of greater security and greater attachment to Government than exists at present, because they are in a better position than they ever were before; they know that as long as they pay their rent they cannot be turned out of their land; that no additional rent will be demanded during the term of the lease if the land is made more valuable by improvements; that, in the event of a failure of crops, a portion of the rent will be remitted; and that they can, if they wish, throw up the whole or a portion of their land whenever they please. Under a permanent settlement the same rent would always be demanded, whatever might be the fluctuation in the value of the precious metals, and to whatever extent too the crops might fail, and in the event of non-payment the tenant would be sold out.

5. Secondly, I very much doubt if the concession of Government to limit its demand would be at all appreciated by the landholder. At the time of making the permament settlement, a rate of assessment would be fixed quite as high as the land could then bear, and higher than the last two generations have been in the habit of paying. The occupant might, perhaps, find it quite as much as he could do to pay it, and if he were told it would never be raised again, would not understand that the Government intended conferring any benefit on him. He is very illiterate, and very short sighted. He has had no experience of the wonderful manner in which property increases in value by good government; till within the last 20 years he had great difficulty in paying his rent, and though, from various causes, he is now in a much better position than formerly, he cannot look so far forward as to realise to himself the probability of a gradual rise in the value of land, and the benefit he and his posterity would enjoy in consequence.

6. The Commissioner in Scinde is strongly of opinion that, taking into consideration the present state of the great body of the landholders, their ignorance and their want of capital, that they are better off under a system of leases than they would be under a permament settlement. As civilisation progresses, the cost of administration tends to increase, and if a limit to the demands of the State on the land is fixed, it will be difficult to provide funds to meet the wants of Government. The natives of India are most impatient of taxation. They look on the salt-tax and stamp duties as most oppressive. They have evaded payment of the income-tax by every possible means; and had it not been for the successful manner in which the mutinies were put down, would have resisted payment by force, and would, if they dared, make the same opposition to any other tax. They consider the land the property of the State, that the revenue derived therefrom is sufficient for its expenses, and all other taxation arbitrary and unjust.

7. The Commissioner in Scinde must, therefore, repeat that he considers the limitation of the Government claims on the land a most hazardous measure, and calculated to cause great financial confusion hereafter.

Resolution.—Copy to the Governmen of India. The remark in Paragraph 2 of the letter to the Government of India, No. 4267, of 22d November 1862, had reference

reference to Paragraph 9 of the letter from the Commissioner of Scinde, No. 232 of the 24th October, of which a copy was sent to the Government of India.

Ordered, that copies of the above be forwarded to the Commissioner in Scinde

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No. 2554, dated the 1st August 1863.

Submitted to the Governor of India.

(signed) *A. D. Robertson,*
Secretary to the Government of Bombay.

From *I. W. S. Wyllie*, Esq., Under-Secretary to the Government of India, to *A. D. Robertson*, Esq., Secretary to the Government of Bombay (No. 5426); dated 28 August 1863.

With reference to your endorsement No. 2554, dated the 1st instant, I am directed by the President in Council to enquire whether it is to be understood that the Government of Bombay concur in the views expressed by the Commissioner of Scinde in regard to the expediency generally of a permament settlement of the land revenue.

Memorandum by Mr. *S. Mansfield*, Commissioner in Scinde; dated 17 March 1863. No. 122.

With reference to Mr. Acting Chief Secretary Robertson's letter, No. 4266, dated 22d November last, and former correspondence, the Commissioner in Scinde has the honour to submit, for the perusal of His Excellency the Governor in Council, and for republication, a draft of Rules for the sale of unassessed waste lands in the province of Scinde.

Rules for the Sale of Unassessed Waste Lands in the Province of Scinde.

1. All unassessed waste lands, in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule 20.

2. No greater quantity of land than 3,000 acres shall be sold in one lot, except with the express sanction of the Government. If, for special reasons, in particular localities, a lower maximum area than 3,000 acres should be determined upon, it will be duly notified hereafter.

3. Every lot shall be compact, and shall include no more than one tract of land, and no less than a whole survey field or fields, and when the land touches a public road or a navigable river, the length of the road or river frontage shall not exceed one half the depth of the lot, and no lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

4. Application for the purchase of waste land shall be made to the collector of the district, and every application shall contain the following particulars:—

1. The estimated area of the land applied for.
2. The situation of the land and its boundaries as accurately as can be ascertained.

5. If the collector be satisfied that the land applied for is available for purchase, and within the conditions prescribed in Rules 2 and 3 (and if it have been previously surveyed and demarcated), he shall advertise the lot for sale on a given day, at an upset price of not less than *Rs.* 2. 8 an acre on the whole area. The advertisement shall be published in the collector's office, in the Court of the Judge, and at the Moonsiff's Court and police station, within the limits of which the lands are situated.

6. If the collector be satisfied as above, and if the land has not been surveyed, he shall cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

7. The day of sale to be named in the advertisement shall not be less than 30 days from the date of publication, and the sale shall be held at the collector's office. The sale may be postponed if, in the collector's judgment, it be necessary, due notice being always given of the date on which the sale will be held.

8. If, before the day of sale, no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price, if there be no higher bid.

9. On payment of one-tenth of the purchase-money and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued by the Commissioner) signed by the collector, conveying to him the lot in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, and to any other claim, whether of the Government or otherwise, that may have been, or may hereafter be, established in any court of competent jurisdiction.

10. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the collector shall investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale.

11. If on investigation any such claim shall appear to be well grounded, the collector may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

12. The Commissioner may direct the collecter either to reject the application or to proceed with the sale of land, either unreservedly, on the conditions prescribed in Rule 9, or if any claim to right of proprietorship, occupancy, or use in any part of the lands, be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

13. On being up in possession of the lot, the purchaser shall be bound to erect as many substantial boundary-marks of masonry as the collector may think necessary.

14. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

15. The purchaser may, if he choose, pay the whole of the purchase-money when the lot is sold or the deed delivered to him, or, if he choose, he may pay a portion, not being less than 10 per cent., at the time of sale, and the remainder in instalments at any future time, not being more than 10 years from the date of sale. In the latter case, simple interest, at the rate of 10 per cent. a-year, will be charged on the unpaid portion of the purchase-money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale, by order of the collector, if the said amount be not paid within the stipulated period.

16. If the purchaser fails to pay one-tenth of the purchase-money and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

17. The upset price will be calculated on the whole of the area of the lot without any deduction on any account whatever; ordinarily, the upset price will be *Rs.* 2. 8. an acre; but in special cases the collector, with the sanction of the Commissioner, may put a higher upset price on any lot, provided that the upset price of available waste lands shall in no case exceed 10 rupees an acre.

18. If it should at any time be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the collector may, on the application of any one of the parties, re-adjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot will be refunded to him with simple interest at 10 per cent.

19. All sales of waste land made under these rules in each division will be reported immediately to the Commissioner in such form as he may direct; but no sale of waste lands once made by a collector, in conformity with these rules, will be disturbed by any higher executive authority.

20. Reserves of grazing and forest land, of land for the growth of fire-wood near towns and stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government.

21. The purchaser, under these rules, of any lot of land which shall have already been surveyed by the settlement officers of the revenue survey now in progress in Scinde, shall defray such expenses as have been incurred by Government in the survey of the said land.

22. The

22. The purchaser, under these rules, of any lot of land which is irrigated by, or capable of irrigation by water taken from any Government canal, shall, in excess of the price paid for the said lot of land, be liable to a water-tax, of such amount as shall be determined prior to the day of sale by the collector, with the sanction of the Commissioner.

23. If the said land is irrigable from a private canal, the purchaser must make his own arrangements with the owner thereof for a supply of water.

Resolution.—The sanction of the Government of India to be requested.

2. The advertisement of the proposed scale (paragraph 5) should be published in the village to which the land is attached, as well as in the public offices named.

Ordered, that copies of the above be communicated to the Commissioner in Scinde.

(signed) *A. D. Robertson,*
Secretary to the Government of Bombay.

No. 2145, dated the 1st July 1863.

Submitted to the Government of India for sanction.

(signed) *A. D. Robertson,*
Secretary to the Government of Bombay.

From *J. W. S. Wyllie*, Esq., Under Secretary to the Government of India, to *A. D. Robertson*, Esq., Secretary to the Government of Bombay (No. 4748); dated 31 July 1863.

I AM directed to acknowledge the receipt of your letter, No. 2145, dated the 1st instant, submitting for sanction rules for the sale of unassessed waste lands in the province of Scinde.

2. In reply, I am directed to state that the only objection to which the rules appear to be open to is that, under Act XXIII. of the present year, it seems to be necessary that notice of the sale of waste land should be advertised for not less than three months.

No. 2932.—31 August 1863.

RESOLUTION.—Copy of the Letter from the Under Secretary to the Government of India, to be forwarded to the Commissioner in Sind, for information and guidance, and the rules amended as suggested by the Government of India, published in the "Government Gazette."

EXTRACT from Bombay "Government Gazette," 3 September 1863.

REVENUE DEPARTMENT.

THE following Rules are published for general information:—

Rules for Sale of Unassessed Waste Lands in the Province of Sind.

1. ALL unassessed waste lands, in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed, and to be capable of revival, are available for purchase under these rules, unless specially reserved under Rule 20.

2. No greater quantity of land than 3,000 acres shall be sold in one lot, except with the express sanction of the Government. If for special reasons, in particular localities, a lower maximum area than 3,000 acres should be determined upon, it will be duly notified hereafter.

3. Every lot shall be compact, and shall include no more than one tract of land, and no less than a whole survey field or fields, and when the land touches a public road or a navigable river, the length of the road or river frontage shall not exceed one-half the depth of the lot; no lot will be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and damarcated, in consequence of an application for purchase. The survey need only be in sufficient detail to secure the ready identification

of the boundaries of the lot, and to ascertain its gross area. If, on completion of the survey, it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

4. Applications for the purchase of waste land shall be made to the collector of the district, and every application shall contain the following particulars:—

1. The estimated area of the land applied for.
2. The situation of the land, and its boundaries as accurately as can be ascertained.

5. If the collector be satisfied that the land applied for is available for purchase, and within the conditions prescribed in Rules 2 and 3 (and if it have been previously surveyed and demarcated), he shall advertise the lot for sale on a given day at an upset price of not less than *Rs.* 2. 8. an acre on the whole area. The advertisement shall be published in the collector's office, in the court of the Judge, and at the Moonsiff's court, and police station within the limits of which the lands are situated.

6. If the collector be satisfied as above, and if the land have not been surveyed, he shall cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey the advertisement of sale shall be published as above.

7. The day of sale to be named in the advertisement shall not be less than three months from the date of publication, and the sale shall be held at the collector's office. The sale may be postponed if, in the collector's judgment, it be necessary, due notice being always given of the date on which the sale will be held.

8. If before the day of sale no claim of proprietary or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price if there be no higher bid.

9. On payment of one-tenth of the purchase-money, and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a deed (in a form which will hereafter be issued by the Commissioner), signed by the collector, conveying to him the lot in full hereditary and transferable proprietary right, free for ever from all demand on account of land revenue, but subject, nevertheless, to all general taxes and local rates imposed by law, and to any other claim, whether of the Government or otherwise, that may have been or may hereafter be established in any court of competent jurisdiction.

10. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the collector shall investigate the claim, and if satisfied that it is groundless, shall reject it and proceed with the sale.

11. If on investigation any such claim should appear to be well grounded, the collector may either reject the application for purchase of the lands, or refer it for the orders of the Commissioner. In the former case the applicant may appeal to the Commissioner.

12. The Commissioner may direct the collector either to reject the applicant, or to proceed with the sale of land, either unreservedly, on the conditions prescribed in Rule 9; or, if any claim to right of proprietorship, occupancy, or use in any part of the lands be established to the satisfaction of the Commissioner, with a special reservation of such right, or exclusive of the area in which such right exists. If the application for purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

13. On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary-marks of masonry as the collector may think necessary.

14. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be returned to him.

15. The purchaser may, if he choose, pay the whole of the purchase-money when the lot is sold or the deed delivered to him; or, if he choose, he may pay a portion, not being less than 10 per cent., at the time of sale, and the remainder in instalments at any future time, not being more than 10 years from the date of sale. In the latter case, simple interest, at the rate of 10 per cent. a-year, will be charged on the unpaid portion of the purchase-money, and the whole lot will remain hypothecated as security for the full discharge of the amount, including principal and interest, and be liable to sale by order of the collector, if the said amount be not paid within the stipulated period.

16. If the purchaser fails to pay one-tenth of the purchase-money and all other expenses within three months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser, whose deposit will also be forfeited.

17. The upset price will be calculated on the whole area of the lot without any deduction on any account whatever; ordinarily the upset price will be *Rs.* 2. 8. an acre; but in special cases the collector, with the sanction of the Commissioner, may put a higher upset price

price on any lot, provided that the upset price of available waste lands shall in no case exceed 10 rupees an acre.

18. If it should at any time be found that the same land has been included in more than one lot, it shall be held to belong to the lot first sold, and all subsequent sales shall, as regards such land, become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the collector may, on the application of any one of the parties, readjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land, thus excluded from his lot, will be refunded to him with simple interest at 10 per cent.

19. All sales of waste land made under these rules, in each division, will be reported immediately to the Commissioner in such form as he may direct; but no sale of waste lands, once made by a collector in conformity with these rules, will be disturbed by any higher executive authority.

20. Reserves of grazing and forest land, of land for the growth of firewood near towns and stations of building-sites, parks, recreation-grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government.

21. The purchaser, under these rules, of any lot of land which shall have already been surveyed by the settlement officers of the revenue survey, now in progress in Sind, shall defray such expenses as have been incurred by Government in the survey of the said land.

22. The purchaser, under these rules, of any lot of land which is irrigated by, or capable of irrigation by water taken from any Government canal, shall, in excess of the price paid for the said lot of land, be liable to a water-tax of such amount as shall be determined prior to the day of sale by the collector, with the sanction of the Commissioner.

23. If the said land is irrigable from a private canal, the purchaser must make his own arrangements with the owner thereof for a supply of water.

By order,

Bombay Castle,
31 August 1863.

(signed) *A. D. Robertson*,
Secretary to Government.

— No. 28. —

From *J. W. S. Wyllie*, Esq., Under Secretary to the Government of India,

To Secretary to the Government of Bengal, No. 5450.
To Secretary to the Government of N.W. Provinces, No. 5451.
To Secretary to the Government of the Punjab, No. 5452.

Dated 28 August 1863.

I AM directed by the President in Council to request that, with the permission of the Lieutenant Governor, you will have the goodness to report what measures have been taken in respect of the survey of selected tracts of waste lands in * as suggested in the letter from the Government of India, dated the 5th of September last, No. †.

* Bengal, N. W. Provinces, Punjab, 4794.

† 4795, 4796.

2. I am desired to intimate that the Government of India attaches much importance to the measure, and will be glad to know that some steps towards its accomplishment are being taken by the organization of a Survey Establishment to be devoted specially to this work.

3. It would not, I am to remark, seem necessary, having regard to the slight character of the survey required, that any great professional attainment should be looked to; probably Native surveyors, capable of simply surveying with the chain, will be able to do all that is necessary; and the only point which it appears of importance to secure, is the supervision adequate to ensure care and accuracy on the part of the Native surveyors.

From Major *J. Reid*, Secretary to the Chief Commissioner of Oude, to *J. T. Wheeler*, Esq., Assistant Secretary to the Government of India, Foreign Department (No. 2869); dated Lucknow, 28 September 1863.

I HAVE the honour, by direction of the Chief Commissioner, to acknowledge receipt of your Circular Docket, No. 266, dated 15th instant, with its annexure, from the Home Department, enquiring what measures have been taken in respect of the survey of selected tracts of waste lands, as suggested in Letter No. 4794, dated 5th September 1862.

2. In reply, I am desired to report that, of the 12 districts of Oude, in three only, viz., Mahomdee, Baraitch, and Gondah, are any waste lands available for sale. Probably three-fourths of the whole are in Mahomdee, and all the waste land in this district which is not made over to surrounding villages will be surveyed, demarcated, and marked off into suitable allotments for sale by auction, by the end of April next. This duty has been entrusted to Mr. J. Kavanagh, Assistant Superintendent of Survey and Demarcation; and a copy* of the instructions issued by the Chief Commissioner for his guidance are appended.

* No. 2049, dated 15 July, to Commissioner of Settlement.

3. It is the Chief Commissioner's intention to make a similar survey and demarcation of waste lands in the Gondah district, during the cold weather. There is no demand for the remaining waste land in Baraitch, and its survey must be postponed for another year.

From Major *J. Reid*, Secretary to the Chief Commissioner of Oude, to the Commissioner of Settlement, Oude (No. 2049); dated Lucknow, 15 July 1863.

ALL the forest tracts in the Mahomdee district, containing valuable timber that it has been determined to reserve for the use of Government, have been surveyed by Mr. Reid and Captain Anderson, and the boundary pillars set up. It is now of urgent importance that a survey be made of the remaining tracts by demarcating the areas of the settled villages within and bordering on them, and by marking off the waste into suitable allotments for sale by auction.

2. The Chief Commissioner has resolved to entrust this duty to Mr. J. Kavanagh, the Superintendent of Surveys in Oude, by whom the demarcation of village boundaries in other parts of the province is conducted, as he has acquired great experience in the work, and it will be done by him in a systematic and uniform manner.

3. It is not likely that Captain Anderson will be able to survey the area demarcated by Mr. Kavanagh next cold season; but this is of little consequence, as Mr. Kavanagh's survey will be quite sufficient for the purpose for which it is immediately required, which is to ascertain the amount of waste land at the disposal of Government, and render it available for immediate sale.

4. Mr. Kavanagh will enter on this work as soon after October as the season permits, and it is hoped he will be able to conclude it by April 1864. The following instructions are issued for his guidance.

5. It is probable that Dr. Brandis will submit a proposition for including within the limits of the reserve forest tracts, a portion of the surrounding waste land for reasons connected with the conservancy of the forests, and that the proposition will meet with the Chief Commissioner's approval. Intimation of the result will reach Mr. Kavanagh before his operations commence, and it will be his duty to demarcate the boundary of the reserved tracts.

6. The owners of the villages bordering on the waste lands will be entitled to the benefit of Clause 3 of the revised rules for the sale of waste lands, which provides that to each bordering village shall be allotted waste equal to its own area (including village site, cultivated and fallow land, with intervening patches of waste).

7. But a clearer definition of the meaning of the above rule is required, for the areas of villages bordering on waste lands have rarely known limits, and a loose interpretation may involve a needless sacrifice of the public interests.

8. By fallow land is meant land temporarily set aside to rest, or left untilled in the ordinary

ordinary rotation of crops, and does not comprise land that has been neglected for years, or has relapsed into waste. The term will have the same meaning as is given to it by settlement officers.

9. Intervening patches of waste mean small patches of waste lying in a mass of cultivation, and not large tracts of jungle, dotted here and there by clearings; but it has been a not uncommon practice for the owners of these villages to cultivate a beegah or two in the midst of the jungle, merely to give a claim to the intervening waste. For the guidance of the demarcating officer, it will be best to rule that the intervening patches of waste must not exceed (25) twenty-five per cent. of the area composed of cultivated and fallow land. The excess will reckon in the addition of waste.

10. To define the area of the deserted villages in Khyreeghur further instructions are required. The peculiarity of this part of the country is, that the Tharoos, who form the agricultural population, do not cultivate the same land long; after having taken off a few crops, they leave it for some others less exhausted, but will return to it some years afterwards, when rest shall have restored its fertility.

11. It would be unfair, then, to assume that every village at present deserted is so for ever, and it follows that many now occupied will in a few years be abandoned. But the Chief Commissioner believes that the absence of the Tharoos is not very prolonged, and that if they have abandoned a village for seven or eight years, they do not mean to return to it. It will be fair, then, to apply the period fixed to distinguish land recently thrown out of cultivation for culturable waste in the Revenue Survey, which is eight years, to these deserted villages; and to rule that all that have been abandoned for more than that period shall be considered waste land, and the property of the State, and those that have been neglected for less, shall be deemed village lands, to be disposed of with reference to the claims of Government, or of individuals. In the former case, the lands will be measured off into the waste land allotments, and in the latter, regular village areas will be found, with the addition of waste equal to the deserted lands.

12. Instances will, however, often occur where detached patches of land in the centre of a vast plain have been cultivated within the period above fixed, by persons residing in a village situated at a remote distance, the bulk of the cultivation being in the immediate vicinity of the village site. To concede permanent possession of each detached patch would seriously impair the value of the intervening waste land. In such instances, then, it would be advisable to allot waste double the area of the detached patches, in addition to the waste assignable to the compact portion of the cultivated land under the provisions of Rule 3. This will give a village area in one block.

13. The accompanying extract, paragraph 3 of my letter, No. 1613, dated 4th instant, on an application by Captain W. Hearsey, will serve as precedent for guidance in similar cases which are sure to arise.

14. The allotment of waste lands should not exceed 5,000 acres. In marking them off, natural boundaries should as much as possible be followed, and the maximum area of 5,000 acres may be a little exceeded to preserve such boundaries, or render an allotment more compact.

15. The allotments should not differ greatly in the quality of the land. The marked feature of the Khyreeghur Pergunnah is, that grass plains or savannahs alternate with kuthbunnas, or tracts of miscellaneous trees, and the latter, Mr. Read informs the Chief Commissioner, are often unculturable without water. It should be arranged that each allotment should comprise a fair proportion of grass land, as well as kuthbunna. If it would not cause trouble and delay, Mr. Kavanagh should specify the different kinds of timber-producing trees growing within the kuthbunna tracts, and note the kinds that predominate, in case any of the tracts should be worth preserving for the use of Government.

16. A map of each allotment and village area, giving the boundary marks and the course of streams and roads, on the scale of four inches to a mile, should be prepared by Mr. Kavanagh, and another map of the whole tract, on a scale of one inch to the mile, showing the boundaries of the allotments for sale of the village areas, set up within the waste tracts and of the bordering villages.

17. Captain Anderson's map of the reserved forest tracts will also be sent to Mr. Kavanagh.

18. If Mr. Kavanagh fails to understand any portion of the instructions, it is requested that he will seek explanation at an early date.

From *R. Simson*, Esq., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 1095 A); dated Nynee Tal, 24 September 1863.

I AM directed to acknowledge the receipt of the letter from your Department, No. 5451, dated the 28th ultimo, in which inquiry is made as to what measures have been taken in respect of the survey of selected tracts of waste land in the North Western Provinces, as suggested in the letter from the Government of India, No. 4795, dated 5th September 1862.

2. In reply, I am directed to refer you to the letter from this Office, No. 1161 A, dated 17th October, 1862, in which it was stated that the general survey of waste lands would be of little practical utility, while the labour and expense of making it would be very considerable. As no reply was received to this letter, it was concluded that the Government of India concurred in the view taken by the late Lieutenant Governor, and no further action has been taken in the matter. If, however, it is still the desire of the Honourable the President in Council that the survey should be made, immediate orders will be issued to the Board of Revenue to make arrangements for commencing operations.

3. I am to add, that no provision has been made in the Budget for the current year for the expense which will be incurred by this survey, and a special grant will consequently be required.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *R. Simson*, Esq., Secretary to the Government of the North Western Provinces (No. 6777); dated 28 October 1863.

I AM directed to acknowledge the receipt of your letter, No. 1095 A, dated the 24th ultimo, inquiring, with reference to Sir George Couper's letter, No. 1161 A, dated 17th October last year, whether it is still the desire of the Government of India that the proposed survey of selected tracts of waste land should be carried out in the North Western Provinces.

2. In reply, I am instructed to explain that the terms of the circular from this Office, dated 28th August, were general, and were not intended to supersede the orders, as regards the North Western Provinces, conveyed in this Office letter, No. 7380, dated 18th December 1862.

3. At the same time, while thus now again conveying to you the acquiescence of the Government of India in the views of the Local Government, I am desired by the President in Council to add, that though there is no necessity for any immediate action in the matter, the expediency of arranging for a preliminary survey and demarcation of boundaries, so as to give every practicable facility for intending settlers, will doubtless be recognised by the Lieutenant Governor at any future time, when there may appear a likelihood of the wild lands in any district coming into particular demand for settlers.

— No. 29. —

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 2203); dated 30 May 1863.

With reference to Endorsement No. 403T, dated the 30th August last, I am directed to forward herewith, for the information of the Honourable the President in Council, a copy of the correspondence noted in the margin, from which it will be observed that, owing to the difficulty of obtaining the services of competent surveyors, Rule 3 of the new Waste Lands' Rules, so far as it relates to the survey of such lands prior to their sale, has for a time been partially suspended in the districts of Darjeeling, Cachar, and Sylhet, and in the province of Assam.

From J. Cormack, Esq., dated 23 October 1862.
To Board of Revenue, No. 2688, dated 6 November.
From Board of Revenue, No. 87, dated 31 March 1863.
To Board of Revenue, No. 1762, dated 28 April.
From Board of Revenue, No. 128, dated 5 May.
To Board of Revenue, No. 2201, dated 30 May 1863.

To Major *H. C. James*, Private Secretary to his Honor the Lieutenant-Governor of Bengal.

The Memorial of *J. T. Cormac*, Esq., and other Landholders at Darjeeling.

Sir,

We, the undersigned members of the Landholders' Society at Darjeeling, beg most respectfully to welcome the arrival of his Honor the Lieutenant Governor at this station, and to express our conviction of the beneficial results likely to be derived from it.

The liberality of the rules issued by his Honor on the 30th August last, in regard to the sale of waste lands, was hailed by this community with much satisfaction, the 22d paragraph of the same leaving no doubt in our minds that all applications for land, under the Resolution of the 17th October 1861, would be dealt with according to the true spirit of those rules.

It has been found, however, with much disappointment, that certain orders lately received by our superintendent from the Revenue Board (making advertisements imperative, also sale by auction if other applicants step in, as well as making complete survey necessary before possession), now press most seriously on the interests of all concerned, and we trust that his Honor will call for the instructions lately received by the local officer from the Board.

It would appear to have been the object of the late Lord Canning to give possession of lands without reference to distant authorities or survey, and he was of opinion that the local records would generally show if there were any prior rights in the soil.

In this district in particular there were no prior rights, as they expired at a given period, the holders of the land not choosing to pay the rents required by the Government.

Auctions would not appear to have been contemplated except in cases of more than one applicant at the same time, and advertisements were only intended to ascertain if there were prior claims.

To call, therefore, for advertisement, after a lapse of many months from the time of the first applications, merely to invite fresh competition, appears in direct opposition to the spirit of the rules of the 17th October 1861, which say that, if there are no prior claims, the land may be given to the applicant at the price fixed.

The 10th clause of the Despatch of the Secretary of State for India shows that Lord Canning's intentions were so interpreted, and that auctions were only to be had recourse to in exceptional cases.

We would therefore earnestly entreat the Lieutenant Governor to cause possession to be given, as far as possible in accordance with the description given in the several applications registered, leaving the final survey for future adjustment, as, should the measures and orders of the Revenue Board be allowed to prevail with the local authorities, we are at a loss to understand of what use will be the 22d clause of the Lieutenant-Governor's orders, or that any privileges or advantages will be gained under the Resolution of the late Viceroy. If his Honor still deems advertisements necessary, we would respectfully suggest that they should at once be issued (in the mass); and where no prior claimant is found, and no applicant has appeared within thirty days (for the same land) of the original application, then auction shall not be held necessary.

To strengthen this view, we bring to notice that our late superintendent, Dr. Campbell, in acting under these rules, considered a public registry in his office equivalent to advertisement, and on any second application not made within 30 days, his answer was "not available."

We have thus endeavoured to point out to his Honor the position of registered applicants in this district, and, according to the promise of the Government, we venture to hope that their interests will be fully protected.

An outline survey of this district has already been made; and from the nature of the lands applied for, there are very few instances in which possession might not be given prior to final survey, as in most cases the description in the applications is sufficiently distinct.

The boundaries are almost always natural ones, watercourses, crests of spurs, compass bearings, &c., and any exceptional cases (where there are any), are sufficiently apparent, and need not interfere with giving possession in the majority of cases. Many of the lands have been actually surveyed, and bills sent in for the expenses.

And your memorialists, as in duty bound, shall ever pray.

(signed) *J. T. Cormac* and others.

EXTRACTS from the Resolution of the late Viscount Lord *Canning;* dated 17 October 1861.

Clause 16. The land registers of the collector of land revenue, or of any local authority exercising collector's powers, when properly kept and perfect, will often enable him to state at once whether there is any other prior claim of property or occupancy in the land applied for.

17. When there is no such claim apparent from the Government records, and the collector knows no other objection to the grant, he will advertise the application in the most customary and effectual manner for a term which probably need rarely exceed 30 days.

18. When, after the expiration of the term fixed, no such claim is preferred, or when, if preferred, it shall have been disposed of, the collector will give to the applicant a document testifying that the land, as described in his application, has been allotted to him, subject to the terms hereinafter specified.

30. In the event of more purchasers than one offering to buy the same tract, neither having any previous right to the land, it may be put up to auction at the upset price of an ordinary grant; but, except in such cases, or in the case of suburban lots, recourse will not be had to sale by auction. The applicant will receive his land at a fixed price.

From the Honourable *A. Eden,* Officiating Secretary to the Government of Bengal, to the Secretary to the Board of Revenue; No. 2688, dated 6 November 1862.

I AM directed to forward herewith a copy of a memorial from Mr. J. Cormac and others, dated the 23d ultimo, and to state that these gentlemen, who applied for lots of waste land in Darjeeling, under the Resolution of the 17th October 1861, whose applications were registered, and who are, therefore, entitled to be dealt with under paragraph 22 of the rules of the 30th August 1862, had an interview with the Lieutenant-Governor whilst at Darjeeling, and explained verbally their wishes and views on the subject.

2. They desired, first, that the lots they had applied for might be made over to them on the terms of the Resolution, but without advertisement, or opportunity given to others to apply for the lots; second, that the lots might be made over to them at once, without waiting for a survey.

3. The Lieutenant Governor explained to them verbally that the advertisement could not be dispensed with, and that, if within the period of advertisement (which is to be 30 days in every case), another applicant for any lot should come forward, it must be put up to auction, and sold to the highest bidder.

4. But his Honor admitted, and is strongly of opinion, that the memorialists are entitled to every consideration that can be shown them consistently with the rules, and that their request to have the lot advertised and disposed of at once, and as soon as possible, without waiting for regular survey, is perfectly reasonable.

5. The large map of the district, prepared by Major Sherwill, on a scale of four inches to a mile, is quite sufficient to enable the superintendent to mark off approximately the lands applied for in each instance, within the limit of 3,000 acres, and to allot the land subject to the conditions prescribed in sections 2 and 18 of the rules of the 30th August 1862. The gross area of each unsurveyed lot may thus be roughly ascertained, and its boundaries made capable of ready identification.

6. The superintendent was authorised by the Lieutenant Governor to act on this view, without waiting for further instructions.

7. The applicants should, of course, point out their boundaries on the map, as required by the terms of the Resolution.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Honourable *A. Eden*, Secretary to the Government of Bengal (No. 87); dated 31 March 1863.

PRESENT: W. J. Allen, A. Grote, and E. T. Trevor, Esquires.

I AM directed by the Board to submit the following cases for the consideration of his Honor the Lieutenant Governor.

2. On the 8th February 1862, Dr. Barry, representing the Imperial Tea Company, applied for a grant of waste lands in Cachar under the old Assam rules. The nominal area was 5,000 acres. No survey has, however, been made as yet, but a rough survey by a Compass Ameen is now in progress. The grant has been sold to the Eastern Bengal Tea Company, but Dr. Barry represents that the sale arrangements contemplate that the lands be made over with a rent-free title. He, therefore, wishes to be allowed to commute the grant to rent-free by an immediate payment.

3. The objection to this course is that the area of the grant is a matter of estimate only. The survey which is now being made by the Compass Ameen is a rough one, and it is not unlikely that errors of area will be detected by the professional surveyor next year.

4. The rules do not provide for commutations on estimated areas subject to re-adjustment of price on correct survey, hence the necessity of this reference to Government.

5. The Board would not allow any commutation until the rough survey now in progress be completed, for the nominal area cannot be in any way depended on; but they recommend that as soon as the Compass Ameen's survey is complete, and tested by the district officer, Dr. Barry be allowed to commute paying the sum required by the rules for commutation of the area given by the rough survey, with the addition of margin of 10 per cent. to meet any increase of area which the professional survey may show. Dr. Barry should further be required to enter into a bond with security to make good any further sum which may be payable under the rules for the commutation of the full area as eventually ascertained to exist by the professional survey.

6. Dr. Barry has also applied to be allowed to commute the Lotakandi grant, of which the circumstances are similar.

7. As such applications are likely to be frequent, the Board suggest that if the principle of the recommendation made above be approved, they be authorised to act on it in all similar cases.

8. Dr. Barry has also applied to be allowed to commute a grant known as the Barakhai and Goongoor Gardens. These are said to consist of 2,500 acres, being part of a larger grant which has been roughly surveyed as 12,057 acres. On this the grantees had failed to make the clearances required of them in the first five years, and for which, in 1861, the Government allowed an extension of three years. The survey of the entire original grant was a rough one, and the area of the portion for the commutation of which Dr. Barry now applies has not been separately surveyed, even roughly. As the collector gives an assurance that the clearances are being rapidly pushed on, the Board recommend that the same permission be accorded with regard to the commutation of Dr. Barry's nominal 2,500 acres, as is proposed above, as soon as a rough survey by a Compass Ameen can be made, but not before.

9. Dr. Barry has deposited 12,300 rupees with the Superintendent of Cachar towards the redemption of these grants.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to *H. L. Dampier*, Esq., Secretary to the Board of Revenue (No. 1762); dated 28 April 1863.

I AM directed by the Lieutenant Governor to reply to your letter, No. 87, dated 31st ultimo, in which you submit the Board's proposal for allowing Dr. Barry to commute certain grants which he holds to rent-free tenures by immediate payment.

2. His Honor is willing to treat this as a special case, and accords his sanction, therefore, to the redemption by Dr. Barry, of the revenue of the two first mentioned grants, in respect to which the time has not yet arrived for enforcing any conditions. Dr. Barry may acquire the rent-free title by paying the fixed commutation on three-fourths of the estimated area. The grantee is entitled to 5,000 acres, and, if on actual survey, it be found impossible to give him as much, or convenient, with reference to natural boundaries, to give him a little more, the account can be adjusted before the title deed is actually delivered.

3. In regard also to the grant referred to in paragraph 8 of your letter, of a portion only of which grant Dr. Barry desires to redeem the revenue, as the three years' extension has not expired; and as the grantee is therefore under no liability to have cleared a certain proportion of the whole, the Lieutenant Governor desires that the same course may be followed.

4. There is no reason, his Honor observes, why Dr. Barry should not be allowed to redeem the revenue of a compact portion of the whole area by paying the fixed commutation on three-fourths of the estimated area of such portion, leaving final adjustment to follow the survey.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Honourable *A. Eden*, Secretary to the Government of Bengal (No. 128); dated 5 May 1863.

I am directed by the Board to submit, for the consideration of Government, a letter, No. 195, dated 7th April, from the Commissioner of Assam, with enclosure, representing that if the order against selling lands, before they are professionally surveyed, be adhered to, the clearance of ungranted lands, and the extension on them of tea cultivation, will be stopped for two years at least.

2. When the order was issued by the Right Honourable Secretary of State, it is probable that the extreme difficulty of obtaining skilled agency for the purpose of surveying waste lands was not known. Experience has shown that, notwithstanding the anxiety of applicants, even native Ameens, who are competent to make rough provisional surveys, cannot be procured in anything like sufficient numbers to keep up with the requirements. It appears from the report of local officers that such rough surveys of grants which have been given under the old rules are two years in arrear.

3. Under these circumstances, I am to recommend that the rule be relaxed in Assam, Cachar, and Sylhet, as has already been done in Darjeeling, and that sales be allowed in anticipation of survey, precautions being taken that no loss to Government shall accrue by the insertion in the provisional deed given to purchasers of a clause securing the hypothecation of the whole lot for the payment of any amount of purchase-money which may be found due upon it on ascertainment of the actual area by regular survey, calculated on the price per acre at which it is sold.

4. With reference to the objection that such sales of unsurveyed land may lead to confusion of the rights of different purchasers, the Board desire me to point out that, under Rule 18, in their Circular Order, No 63, of 1862, the collector's decision of boundary disputes is final, and a provision to that effect can be introduced into the deed of conveyance. To diminish the chance of such disputes, however, the Board would insist on each applicant cutting a road round the land for which he applies, and erecting masonry boundary pillars *before* sale, the cost of erecting them being of course returned to him if he does not eventually become the purchaser at auction.

5. If sales be allowed in anticipation of survey, the same principle will be applied to commutation of existing grants to rent-free.

From Major *W. Agnew*, Officiating Commissioner of Assam, to *H. L. Dampier*, Esq., Secretary to the Board of Revenue (No. 195); dated 7 April 1863.

No. 713, dated 17 March 1863. To be returned when no longer required.

I have the honour to ask for the Board's orders in reference to the matter alluded to in the accompanying letter* from Mr. Beckett, Deputy Commissioner of Seebsagur.

2. The question he has brought forward is a most important one, affecting, as it does, the interests of all gentlemen, either connected with tea planting in this province and wishing to extend their operations, or those desirous of embarking in the cultivation. In fact, as Mr. Beckett remarks, if the new rules are to be carried out in their integrity, the extension of tea planting will be brought to an entire stop, for even the rough survey contemplated by Rule 2 is an undertaking of very considerable difficulty in a country like this

this, and the Ameens at our disposal are wholly insufficient to perform the work requiring to be done.

3. Under these circumstances, I beg to say I would strongly recommend Mr. Beckett's proposal being sanctioned. Doing so cannot possibly entail any loss upon Government, and if confusion of rights be anticipated without a survey in any particular instance, why, previous survey might then be insisted on.

From *W. O. A. Beckett*, Esq., Deputy Commissioner of Seebsagur, to the Commissioner of Revenue, Assam, Gowhatty (No. 713); dated 17 March 1863.

Under the Waste Land Rules, published by the Lieutenant Governor of Bengal on the 30th August last, it is stated that the land applied for must, in the first instance, be surveyed before it is put up for auction. This, at least, is what I believe to be the purport of the rules. I beg, however, to point out that, if this plan is carried out in practice, it will bring tea planting to a standstill for at least a couple of years, for there is at present no prospect of the survey of the grants applied for under the old rules even being completed for a long time to come, certainly I should say not under two years.

2. I would, therefore, under the circumstances, propose that the land should be put up to auction prior to the survey at an upset price of *Rs.* 2. 8. per acre.

3. I do not anticipate that any ill effects would arise from this system, for when the land is put up for sale it would be stated that it was situated within such-and-such boundaries, and the purchaser would have to pay for whatever land, provided it did not exceed 3,000 acres, the grant was found to contain on the survey being made; and if some such plan is not adopted, the planters applying for new grants will not be able to put a seed of tea in the ground, for, of course, if they did so, and another person outbid them at a sale, they would lose all they had expended.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to *H. L. Dampier*, Esq., Secretary to the Board of Revenue (No. 2201); dated 30 May 1863.

I am directed to acknowledge the receipt of your letter, No. 128, dated the 5th instant, with its enclosure, and in reply to state that the Lieutenant Governor approves and sanctions the Board's proposal to suspend for a time in Assam, Cachar, and Sylhet, the rule wich renders the survey of waste lands an imperative preliminary to their sale. His Honor would not insist, however, in all cases, on the applicant cutting a road round the land he applies for, and erecting boundary pillars before sale, as this would be to throw too great a burden on an applicant who may not after all become the purchaser.

2. It will be enough if the applicant be required to put in a rough plan of the land he applies for, showing as nearly as may be, the direction of the boundaries, the length, breadth, and area of the land, and any existing land marks, natural or artificial, which may serve to identify the land when it comes to be surveyed.

3. This, with the other precautions proposed by the Board, will effectually prevent any abuse of the concession.

4. The Surveyor General will be requested to state whether he cannot strengthen the establishment now employed in Assam by sending up a few more native surveyors.

(No. 2202.)

Copy of the above correspondence forwarded to the Surveyor General of India, with a request that he will state if he cannot strengthen the establishment already sanctioned for Assam by sending up a few more Native surveyors.

From Lieutenant Colonel *H. L. Thuillier*, Surveyor-General of India, to the Secretary of the Government of Bengal (No. 33A.); dated 16 June 1863.

Adverting to the request made in your No. 2202 of the 30th ulto. to be informed whether the establishment already sanctioned for Assam, cannot be strengthened by sending up a few more Native surveyors, I have the honour to state that there will not, I anticipate, be much difficulty in further recruiting the Assam party, provided the necessary sum be added to the Budget Estimate of the year.

2. At present there are only five Native surveyors attached to this extra or waste lands' survey party, and the assistant in charge is fully competent to superintend a much larger establishment, and it will be good policy to let him do so, as the chief expense is for superintendence.

3. It is impossible to glean from the correspondence what the absolute requirements in Assam will be; but I would suggest that the strength of Mr. Smart's establishment be expended as per margin, to enable him to meet the demands, which appear extensive. The Assam party would then be on a similar footing with the Darjeeling waste land survey party, which has been well considered.

1 Junior sub-assistant surveyor.
14 Native surveyors.
101 Tindals, measures, &c.
13 Peons and burkundauzes.

4. Should his Honor approve of this proposition, the sum now required in a supplemental estimate will be 4,506 rupees, as stated below, on the sanction of which, Mr. Smart can recruit and train accordingly, and it is of the first importance that the earliest possible instructions should be given on the subject, if advantage is to be taken of the ensuing cold season.

ESTIMATE for the WASTE LAND PARTY in ASSAM.

		Rs.
1 Assistant surveyor in charge at 388 rupees per month		4,656
Contract allowance for contingencies at 100 rupees per month		1,200
1 Junior sub-assistant surveyor at 150 rupees per month		900
8 Native surveyors, &c.		2,934
6 Additional do. at 30 rupees per mensem each		1,080
50 Tindals, measurers, &c.		3,070
51 Additional do. do.		1,554
9 Guards, burkundauzes		659
4 Additional do. at *Rs.* 5. 8. per month each		132
	Rs.	
Contingencies	1,740	
Additional for do.	300	
Travelling allowance to junior sub-assistant surveyor	540	
		2,580
TOTAL - - - *Rs.*		18,765
Deduct already included in Budget of 1863–4		14,259
Difference now required in Supplemental Estimate - *Rs.*		4,506

From Lieutenant Colonel *J. L. Gastrell*, in charge of Surveyor General's Office to the Secretary to the Government of Bengal (No. 34); dated 26 June 1863.

I HAVE the honour to forward, herewith, the "Supplemental Estimate, for the year 1863-64, for additional Survey Establishment required to meet the demands of the Civil Department for the Survey of Waste Lands in Assam," referred to in, and in accordance with, para. 4 of the Surveyor General's letter to your address, No. 33A, dated the 16th instant.

SUPPLEMENTAL ESTIMATE, for the Year 1863–4, for Additional Survey Establishment, required to meet the Demands of the Civil Department for the Survey (previous to Sale) of the Waste Lands in Assam, during the Cold Season of 1863–64.

No.	Description of Establishment.	Salary per Mensem.	Total per Season.	Period for which Calculated.	Remarks.
		Rs. *a.* *p.*	*Rs.* *a.* *p.*		
1	Junior Sub-Assistant Surveyor	150 – –	900 – –	For the latter six months of the Financial Year 1863–64.	
6	Native Surveyors, at *Rs.* 30 each	180 – –	1080 – –		
2	Tindals, - at „ 8 „	16 – –	96 – –		
3	Ditto - at „ 7 „	21 – –	126 – –		
5	Ditto - at „ 5. 8. „	27 8 –	165 – –		
20	Measurers - at „ 5 „	100 – –	600 – –		
21	Ditto - at „ 4. 8. „	94 8 –	567 – –		
4	Burkundauzes at „ 5. 8. „	22 – –	132 – –		
	Extra contingencies, transit of Instruments, &c. - -	- -	300 – –		
	Authorised travelling allowance for the Junior Sub-Assistant, at 3 rupees per diem	90 – –	540 – –		
	GRAND TOTAL - - - *Rs.*		4506 – –		

Surveyor General's Office,
Revenue Branch,
26 June 1863.

(signed) *J. L. Gastrell*, Lieutenant Colonel,
In charge of Surveyor General's Office.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Government of India in the Financial Department (No. 2667); dated 1 July 1863.

I AM directed to forward, for the consideration and orders of the Honourable the President in Council, a copy of the two letters (noted below *) the one from the Surveyor General of India, intimating that the survey party in Assam can, without much difficulty, be strengthened; and the other from the officer in charge of the office at the Presidency, submitting a Supplementary Budget Estimate for 1863-64, to the amount of 4,506 rupees.

2. The

* Letter from the Surveyor General of India, No. 33A, dated 16 June 1863.
Letter from officer in charge of the Surveyor General's Office at the Presidency, No. 34, dated 26 June 1863, with enclosure.

2. The Lieutenant Governor considers this survey of the utmost importance, and concurs with the Surveyor General in thinking that the measure is one of economy, both as regards time and expense. His Honor, accordingly, strongly recommends, for the sanction of the Government of India, the small additional grant of 4,506 rupees to the amount included in the Budget for 1863-641 (4,259 rupees), making the total grant 1,8765 rupees.

3. Early orders are requested, in order that timely preparations for the ensuing cold season may be made.

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Secretary to the Government of Bengal (No. 3041); dated 9 July 1863.

I AM directed to acknowledge the receipt of your letter, No. 2667, dated the 1st inst., and to state that the Honourable the President in Council is pleased to authorise the employment, during the next cold season (under Mr. Smart, who is in charge of the survey of the waste lands in Assam), of the additional establishment noted in the margin, at an aggregate cost of 4,506 rupees for the season.

	Aggregate Cost.
	Rs.
1 Junior Sub-Assistant Surveyor for six months, at 150 rupees per mensem	900
6 Native Surveyors for ditto, at 30 rupees each per mensem	1080
2 Tindals for ditto, at 8 rupees each per mensem	96
3 Ditto ditto, at 7 rupees each per mensem	126
5 Ditto ditto, at *Rs.* 5. 8. each per mensem	165
20 Measurers for ditto, at 5 rupees each per mensem	600
21 Ditto ditto, at *Rs.* 4. 8. each per mensem	567
4 Burkundauzes for ditto, at *Rs.* 5 8. each per mensem	132
Extra contingencies, transit of Instruments, &c.	300
Authorised travelling allowance for the Junior Sub-Assistant, at 3 rupees per diem, or 90 rupees per mensem, for six months	540
Rs.	4506

2. As the Budget charge for revenue survey parties is on the maximum scale, and savings within that maximum will probably occur, from which the present charge may be met, it is not expedient, so early in the year, to allow any additional grant for the expense now authorised.

—No. 30.—

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 3657); dated 21 September 1863.

Assam.

I AM directed to acknowledge the receipt of Mr. Wyllie's letter, No. 5450, dated the 28th ultimo, and, in reply, to state, for the information of the Honourable the President in Council, that in reference to the Assam Survey the Surveyor General reported, on the 16th October last, that Mr. A. Smart, the Assistant Revenue Surveyor in charge of the Assam party, had been directed to proceed to Gowhatty, and report himself to the Commissioner of the province.

2. The party was first organised of the following strength:—

Assistant revenue surveyor in charge.
8 Native surveyors,
1 Duftry.
1 Jemadar.
5 Peons.
4 Burkundauzes.
50 Tindals, measurers, and kalassees.

In June last it was found necessary to strengthen this party by the addition of—

1 Junior sub-assistant surveyor.
6 Native surveyors.
51 Tindals, measurers, and
4 Peons and burkundauzes.

3. On

3. On the 14th of the same month a party was organized for the Darjeeling survey, under Mr. E. T. S. Johnson, Assistant Revenue Surveyor, of the strength noted in the margin.

DARJEELING.
Assistant Revenue Surveyor in charge.
1 Sub-Assistant Surveyor.
7 Native Surveyors.
1 Duftry.
1 Jemadar.
Tindals, Measurers, Kalassees, Guards, and Burkundauzes.

4. As the survey was to embrace the Darjeeling Terai, and as the field-season there is a very short one, not more than four months at most, it was a great object to complete the work in one season without interfering with the progress of the survey of waste lands, grants, and allotments: an addition was subsequently made to the survey party as per margin, to be especially employed in the measurement of the jote lands in the Upper Morung Division, or Terai of Darjeeling.

6 Native Surveyors.
6 Tindals.
45 Measurers.
4 Peons.
70 Coolies, Bildars.

5. The tract of hill-country, comprising the Garrow, Cossyah, Jynteah, and Naga Hills, will be topographically surveyed by a party under the charge of Captain Austen: to consist of one surveyor, one assistant-surveyor, seven civil assistants of different grades, a native establishment on the uniform scale sanctioned by Government, with police and burkundauze guards.

Cossyah and Jynteah Hills.

6. On the survey of the districts of Cachar and Sylhet the Surveyor General remarked, in his report, dated 5th February 1862: "I would entrust this survey (Cachar) to the revenue surveyor of the Third Division, Mr. Davey, now employed in the Sylhet district, which is about half finished, but which must be suspended next season to allow of the more emergent and pressing survey of Cachar to be proceeded with.

Cachar and Sylhet.

"Nothing, I am convinced, under a complete re-survey of Cachar, will suffice to meet the necessities of the case, when we consider the very great number of planters already settled there.

"The regular operations in Sylhet are likewise in that critical state just now, that to stop them would involve the loss of the entire season's area, and an expense of nearly half a lac of rupees."

7. In the month of May last the Board of Revenue reported that if the orders against the sale of lands, before they were professionally surveyed, were adhered to, the clearance of ungranted lands, and the extension on them of tea cultivation, would be stopped for two years at least. The Lieutenant Governor accordingly directed a modification of the Rules in Assam, Darjeeling, Cachar, and Sylhet, which was duly reported to the Government of India, in the Home Department, No. 2203, dated the 30th May last.

8. With reference to the 3d paragraph of the letter under acknowledgment, I am desired to state the Surveyor General will be requested to report on the proposed superficial surveys, with a view to the saving both of time and expense.

From *E. C. Bayley*, Esq., Secretary to the Government of India, to *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal (No. 6680); dated 20 October 1863.

YOUR letter, No. 3657, dated the 21st ultimo, having been placed before the President in Council, I am directed to say that his Honor in Council does not gather from it a precise reply to the question asked in Mr. Wyllie's letter, No. 5450, dated the 28th August,—viz., what measures, if any, have been taken in respect to the survey of selected tracts of waste lands? It does not, for instance, appear from the first two paragraphs of your letter whether the survey party sent to Assam is to be immediately and specially employed on the survey of the waste lands in different parts of that province, or whether it is meant to be employed on a regular and systematic survey of the whole province. I am desired to request that, with the permission of the Lieutenant Governor, more explicit information may be given as to the measures (if any) which have been ordered for the specific object of effecting a survey of waste lands.

2. This object, I am to observe, is obviously of the more importance, from the circumstance reported in your letter of the 30th May, and referred to in

paragraph 7 of your letter under acknowledgment, that the Lieutenant Governor has considered it necessary to partially suspend the operation of Rule 3 of the Waste Land Rules, so far as it relates to the survey of such lands prior to their sale. The local officers, it seems, reported that a strict observance of the rule would bring tea-planting to a standstill, and some modification of the rule was therefore deemed necessary. The President in Council does not feel sure, however, that the rule required so much modification as has been admitted. The rule as to survey stood thus:—"The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. Thus one of the principal objects was to mark the boundaries of the lot applied for, a point specially insisted upon by the Secretary of State in his Despatch of July 1862." In Mr. Beckett's letter, No. 713, dated 17th March, it was expressly stated that in proposing to dispense with the survey he would not dispense with an indication of boundaries. He said, "I do not anticipate any ill-effects, for when the land is put up to sale (without survey) it would be stated that it was situated within such-and-such boundaries."

3. To effect this object, the Board of Revenue suggested that each applicant should cut a road round the land for which he applied, and erect masonry boundary pillars; but the Lieutenant Governor was of opinion that it would be enough to require the applicant to put in a rough plan of the land, showing as nearly as possible the direction of the boundaries, the length, breadth, and area of the land, and any existing landmarks which might serve to identify the land when it should come to be surveyed. The President in Council, I am desired to say, feels some doubt whether this order does not leave the matter too much in the hands of the applicant. There must be many cases, it is apprehended, in which, in the absence of any existing landmarks, such a rough plan as that suggested would afford little, if any, facility for the subsequent identification of the boundaries of the land sold; and his Honor in Council is disposed to think that, unless the boundaries are clearly shown to be susceptible of sure identification by reference to existing landmarks, some such rule as that proposed by the Board would be very advantageous.

From Lieutenant Colonel *H. L. Thuillier*, Surveyor General of India, to the Secretary to the Government of Bengal (No. 81M); dated Mussoorie, 20 October 1863.

No. 5450, dated 28 August 1863.

I HAVE the honour to acknowledge the receipt of your Docket, No. 3663, dated the 21st September last, giving cover to letter from the Government of India (Home Department), cited in the margin, on the subject of the measures taken in respect of the survey of selected tracts of waste lands in Bengal, and desiring me to report whether Native surveyors, capable of simply surveying with the chain, will be able to do all that is necessary, it being deemed a point of importance to secure the supervision adequate to ensure care and accuracy on the part of the natives so employed.

2. There are two special parties at present employed for the measurement of waste lands—one in the Darjeeling Hills and Terai, the other in Upper Assam, each with suitable Native establishments. A third party is under immediate deputation for Lower Assam, and to aid in the Cossyah Hills in conjunction with the regular topographical survey of the whole of the hill territory lying between Assam and Sylhet now about to be started under Captain Godwin Austen.

3. The waste lands in Sylhet and Cachar are amply provided for by the full survey party, No. 3 Division, under Mr. N. T. Davey; whilst Tipperah is in a similar manner occupied by No. 1 Division Party, under Mr. R. Smart, and Chittagong and Arracan by No. 5 Division, under Mr. O'Donel; Hazareebagh and Palamow by the 6th Division, under Captain G. H. Thompson; and Maunbhoom, Poorulia, &c., by the 2nd Division, under Major Sherwill.

4. It will thus be seen that a very large staff of surveyors is employed in the Lower Provinces, and it appears to me the objects contemplated for the measurements of waste lands available for purchase ought thus to be amply provided for.

Almost

Almost all the districts where waste lands are likely to be available under the fee-simple rules are thus well occupied by surveyors.

5. With regard to the employment of natives capable of surveying with the chain only, I fear it is quite impracticable in a country like this. The deputation of natives on such duty without European superintendence I look upon as quite prohibitory, because in desultory and detached measurements of this nature there can be no sort of check, and there would be far too much temptation for agency of this description to resist. The deputation of native Ameens and surveyors only to lay down important boundaries of allotments or grants must, in my opinion, result in disappointment and future litigation.

6. Moreover, the waste lands of India are for the most part dense jungle, and most intricate ground, where the chain alone cannot be used. The difficulty of sufficiently clearing lines in vast tracts of jungles for survey purposes renders the use of instruments necessary, and a better knowledge of surveying than that usually possessed by natives on low salaries. If the jungle is sufficiently cleared prior to survey the work can be expeditiously and cheaply done; but, except in the immediate vicinity of open cultivated parts, there are no means of penetrating; and, if applicants take up far more land than they have any means of clearing for years to come, and there are no paths through the jungle, the surveyor cannot move. Simple chain measurements, therefore, seem to me quite unavailing and impracticable.

7. Indeed the resources of a surveyor are put to a strong test to enable him to grapple with these descriptions of measurements both in the plains and a portion of the hills. The difficulties are avowedly great, and native agency is totally unequal to meet them singlehanded. Natives are naturally averse to going into jungle, and would inevitably fudge their work rather than do so.

8. It strikes me that in the distribution and sale of allotments of land faithfulness of delineation and absolute truthfulness of the plans on which the Government officer is to be guided is indispensable. This, in my opinion, can never be hoped for with native agency simply using the chain.

Mr. E. T. S. Johnson, Darjeeling.
Mr. A. Smart, Upper Assam.
Mr. J. Nicolson, Lower Assam.

From *E. C. Bayley*, Esq., Secretary to the Government of India, Home Department, to *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal (No. 6,680); dated 20 October 1863.

Your letter, No. 3657, dated the 21st ultimo, having been placed before the President in Council, I am directed to say that his Honor in Council does not gather from it a precise reply to the question asked in Mr. Wyllie's letter, No. 5450, dated the 28th August, viz., what measures (if any) have been taken in respect of the survey of selected tracts of waste lands. It does not, for instance, appear from the first two paragraphs of your letter whether the survey party sent to Assam is to be immediately and specially employed on the survey of the waste lands in different parts of that province, or whether it is meant to be employed on a regular and systematic survey of the whole province. I am desired to request that, with the permission of the Lieutenant Governor, more explicit information may be given as to the measures (if any) which have been ordered for the specific object of effecting a survey of waste lands.

2. This object, I am to observe, is obviously of the more importance from the circumstance reported in your letter of the 30th May, and referred to in paragraph 7 of your letter under acknowledgment, that the Lieutenant Governor has considered it necessary to partially suspend the operation of Rule III. of the Waste Land Rules, so far as it relates to the survey of such lands prior to their sale. The local officers, it seems, reported that a strict observance of the rule would bring tea-planting to a standstill, and some modification of the rule was therefore deemed necessary. The President in Council does not feel sure, however, that

the rule required so much of modification as has been admitted. The rule as to survey stood thus:—"The survey need only be in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area." Thus, one of the principal objects was to mark the boundaries of the lot applied for,—a point especially insisted upon by the Secretary of State in his Despatch of July 1862. In Mr. Beckett's letter, No. 713, dated 17th March, it was expressly stated, that in proposing to dispense with the survey, he would not dispense with an indication of boundaries. He said, "I do not anticipate any ill-effects, for when the land is put up to sale (without survey) it would be stated that it was situated within such and such boundaries."

3. To effect this object, the Board of Revenue suggested that each applicant should cut a road round the land for which he applied, and erect masonry boundary pillars; but the Lieutenant-Governor was of opinion that it would be enough to require the applicant to put in a rough plan of the land, showing, as nearly as possible, the direction of the boundaries, the length, breadth, and area of the land, and any existing landmarks which might serve to identify the land when it should come to be surveyed. The President in Council, I am desired to say, feels some doubt whether this order does not leave the matter too much in the hands of the applicant. There must be many cases, it is apprehended, in which, in the absence of any existing landmarks, such a rough plan as that suggested would afford little, if any, facility for the subsequent indentification of the boundaries of the land sold; and his Honour in Council is disposed to think that, unless the boundaries are clearly shown to be susceptible of sure identification by reference to existing landmarks, some such rule as that proposed by the Board would be very advantageous.

From *S. E. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department (No. 4420); dated 25 November 1863.

I AM directed to acknowledge the receipt of your letter, No. 6680, dated the 20th ultimo, requesting further information as to the measures which have been ordered for the specific object of effecting a survey of selected waste lands; and in reply I am to offer the following observations:—

2. The letter from your office, No. 5450, of the 28th August last, called for a report as to what measures had been taken in regard to the survey of selected tracts of waste lands in Bengal, as suggested in your letter, No. 4794, dated the 5th September 1862. It was also therein remarked that Native surveyors, capable of simply surveying with the chain, would probably be able to do all that is necessary.

3. In my reply, No. 3657, dated the 21st September, the Government of India was put in possession of what has been done, and what was actually in progress in each of the districts where applications for waste lands were numerous, and it was also stated that the Surveyor General would be consulted as to the expediency of the proposed superficial surveys.

4. As regards the survey of specially selected waste lands, which is the subject of your letter under reply, I am to remark, that in the correspondence noted in the margin* (a copy of which has already been furnished for the information of the Government of India), Colonel Thuillier specially recommended, in reference to the applications for tea grants, that Cachar, Jynteeah, and Eastern Sylhet should be re-surveyed,† and that he strongly objected to "desultory patches or detached parcels of land scattered in different parts of a pergunnah being measured and allotted without system or regularity to grantees;" and that the Board of Revenue, on this, recommended an accurate topographical delineation on a large scale of all waste lands, competent district surveyors being appointed, and moved from district to district as their services were required.

* Proceedings for November 1862, Nos. 10–11, 16–20.

† Para. 21, letter No. 28, dated 29 May 1862. (Proceedings for November, No. 10.)

5. This correspondence led to the issue of the Orders No. 39 T., dated 7th July 1862, in which, after directing that the survey should show the boundaries

of all new grants or allotments of waste land, whether actually made or only applied for, and should also show on a large scale, four inches to the mile, the topographical features of the waste land as yet unappropriated, or not applied for, divided into convenient blocks for future allotment, the Lieutenant Governor proceeded in paragraphs 8 and 9 of the same letter (reproduced in the margin*) to lay down the principles on which the survey was to be conducted.

6. Subsequently your letter, No. 4794, dated the 5th September 1862, was received. This letter was fowarded for the Board's information, and for the issue of such instructions as they considered to be necessary to the Surveyor-General with reference to the suggestion "that the waste lands as surveyed should be marked out in suitable allotments." It was added that this point had already been referred to in paragraphs 1 to 9 of the Orders of the 7th July, † and the Board were told that it will be necessary to issue corresponding instructions in regard to the survey of Assam, when the footing on which that operation was to be conducted should be finally determined on.

† No 39 T.

7. The Lieutenant Governor having thus fixed the principles on which waste lands generally were to be surveyed, the parties were organized, as reported in the letter from this office, No. 3657, dated the 21st September last, to carry out the survey in Darjeeling and in Upper Assam, for waste lands especially, and in the other districts named in that letter for waste lands in connection with the general topographical survey in course of progress. The party specified in the 1st and 2d paragraphs of my letter above noticed were for the special survey of waste lands in Assam. ‡ For information as to the actual state of these surveys, I am directed to refer you to the enclosed letter § from Colonel Thuillier (a copy of which is annexed), in which moreover is strongly urged the impracticability of simple chain measurement by Native surveyors.

‡ *Vide* Colonel Thuillier's letter, No. 33A, dated 16 June 1863.

§ Dated 20 October, No. 81.

8. As regards the second portion of your letter, objecting to the extent to which the rule-making survey and demarcation of boundaries, a necessary preliminary to the allotment of waste lands, has been modified, I am to say that the Board of Revenue have been requested to report whether any practical inconvenience has resulted from the existing practice as authorised in Orders of the 30th May last, and whether any such further precaution as that suggested in your letter is required.

(No. 4421.)

Copy of the above letter, and of the one to which this is a reply, forwarded to the Board of Revenue, with a request that the report required in the last paragraph thereof may be submitted as early as practicable.

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* Para: 8. The Lieutenant Governor regards, as of the greatest importance, Lieutenant-Colonel Thuillier's requisition, not only for demarcation of all existing boundaries, but for the erection of permament boundary pillars, at least at every trijunction, at the expense of the holders. Where the land is still waste, and has not yet been allotted or applied for, the survey must of necessity be rather in the nature of a topographical than of a revenue survey. In this case demarcation by the superintendent or district officer is out of the question, but it will be the duty of the professional surveyor to lay down the geographical features of the country with considerable minuteness and accuracy, so that their maps may form a sure guide to the district officer, and the basis of his proceedings in making future allotments.

9. For the purpose of making, and marking off future allotments, it is essential that the professional maps should be on the scale of four inches to the mile, and that the position of the hills, the course of the rivers, and other geographical marks should be so clearly laid down as to enable the district officer to apportion grants to applicants without delay in anticipation of the more detailed survey, and further demarcation of boundaries which the allotment of such grants will require. If it should be found that, for the more perfect accomplishment of this object, tracks should in some places be cut through the jungle, this must also be done.

— No. 31. —

From Lieutenant-Colonel *H. L. Thuillier*, Surveyor General of India, to the Secretary to he Government of Bengal (No. 65M.); dated 10 October 1863.

Vide Board to Government, No. 26, dated 31 July, and Enclosures.

No. 4277, dated 3 September 1863.

WITH reference to previous correspondence and to the requisitions made by the Commissioner of Assam for qualified surveyors to be deputed to that province for the purpose of meeting the great demand for the measurements of waste lands applied for under the fee-simple rules, I have the honour to submit, for the information of his Honor the Lieutenant Governor of Bengal, extract from the Proceedings of the Government of India in the Financial Department, transferring Mr. J. O. Nicolson, of the Trigonometrical Survey, lately employed in astronomical observations at the Andamans, for the above purpose, and I beg to report accordingly that his services are now available, and I would suggest that they may at once be placed at the disposal of the Commissioner of Assam for such desultory employment in the plains of Lower Assam, as may be available, pending some progress with the general Topographical Survey of the hills which is now about to be instituted under Captain Godwin Austen.

2. Mr. Nicolson is now in Calcutta, employed in bringing up his observations. The salary of his old grade is 400 rupees per mensem, but he has for several years past been on deputation in independent charge of special operations, and he has consequently enjoyed an extra or deputation allowance, of 200 rupees to make up his salary to that of a full surveyor, to which his standing and service of upwards of 27 years fairly entitle him.

3. The sum of 600 rupees per mensem has been duly provided for in the Budget of 1863-64, and has been ordered to be transferred from the Trigonometrical Survey Budget to that of Bengal, I therefore trust his Honor may deem fit to continue the old deputation allowance to Mr. Nicolson, who is an officer of great merit in his own branch, and will doubtless be well able to accomplish all that is required in the measurement of waste lands.

4. A special application will be made to the above effect to the Government of India with reference to para. 2 of the Financial Resolution.

5. The small establishment which Mr. Nicolson will require at starting is as detailed below, amounting to 11,441 rupees, for the remainder of the financial year, similar to the other surveyors employed in a like capacity, and this must be provided out of the grant under B. II. Land Revenue, as directed in the Resolution.

6. The favour of early orders is solicited, and to be sent to my office in Calcutta.

Mr. J. O. Nicolson, Assistant Surveyor in Charge (*vide* paragraph 3 of this Letter).

From 1st November 1863 to 31st March 1864.

	R.	*a.*	*p.*	*R.*	*a.*	*p.*
Contract allowances for contingencies, at 100 rupees per mensem	-	-	-	500	-	-
1 Junior sub-assistant, at 150 rupees	750	-	-			
Clerks, draughtsmen, native surveyors, and duftree	2,335	-	-			
Tindals, measurers, &c.	2,880	-	-			
Guards, burkundauzes, &c.	285	-	-			
				6,250	-	-
Purchase of two elephants	-	-	-	2,000	-	-
Travelling allowance for Mr. Nicolson, at 5 rupees per diem	760	-	-			
Travelling allowance for junior sub-assistant, at 3 rupees per diem	456	-	-			
Travelling allowance to clerks, draughtsmen, native surveyors, &c., at three-tenths rupees	550	-	-			
Feed of elephants	225	-	-			
Boat-hire, transit of stores, &c.	100	-	-			
Camp equipage	600	-	-			
				2,691	-	-
TOTAL			*Rs.*	11,441	-	-

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Government of India in the Home Department (No. 4212); dated 11 November 1863.

With reference to para. 2 of the proceedings of the Government of India, in the Financial Department, No. 4277, dated the 3d September last, copy of which was forwarded with endorsement from your office, No. 6086, dated the 28th idem, I am directed to submit, for the consideration and orders of the Honourable the President in Council, the accompanying copy of a letter, No. 65M., dated the 10th ultimo, from the Surveyor General of India, soliciting a continuance of the deputation allowance of 200 rupees allowed to Mr. J. O. Nicolson, of the Trigonometrical Survey.

2. It will be observed that Mr. Nicolson has for several years past been on deputation in independent charge of special operations; that the deputation allowance of 200 rupees was granted to him to make up his salary to that of a full surveyor, to which his standing and service of upwards of 27 years fairly entitle him; and the continuance of this extra allowance is now strongly recommended by the Lieutenant Governor on the ground of Mr. Nicolson's long and meritorious service, and the peculiar hardship which the withdrawal of this allowance would entail on Mr. Nicolson, causing him, in fact, to be a heavy sufferer by reason of his work hitherto having been in an exceptional, instead of in the regular line of a surveyor's duties.

3. The services of Mr. Nicolson have now been placed at the disposal of the Commissioner of Assam with a view to his being employed in the measurements of waste lands in Assam.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Surveyor-General of India (No. 4213); dated 11 November 1863.

With reference to your letter, No. 65 M., dated the 10th ultimo, and its enclosure, I am directed to inform you that the Lieutenant Governor has been pleased to place the services of Mr. J. O. Nicolson, of the Trigonometrical Survey, at the disposal of the Commissioner of Assam from the 5th instant, with a view to his employment in the manner suggested in paragraph 1 of your letter.

2. You will be good enough to instruct Mr. Nicolson to proceed to Assam, and report himself to the Commissioner of that Province.

3. I am directed to request that you will submit the usual Proposition Statement for the establishment required for Mr. Nicolson, showing the monthly cost of the same.

4. The Government of India have been applied to for a continuance of the Deputation Allowance of Mr. Nicolson.

From Lieutenant-Colonel *J. E. Gastrell*, in charge of the Surveyor-General's Office, to the Junior Secretary to the Government of Bengal (No. 6); dated 14 October 1863.

In compliance with the request contained in paragraph 3 of your letter, No. 4213, dated 11th instant, I have the honour to submit for sanction a Budget Estimate, in duplicate for the five months of the financial year ending 31st March next.

2. Mr. J. O. Nicolson has been instructed to proceed to Assam, and report himself to the Commissioner of that Province.

(No. 150.)

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Officer in charge of the Surveyor General's Office (No. 4344); dated 20 November 1863.

I AM directed to acknowledge the receipt of your letter, No. 6, dated the 14th instant, and in reply to point out that your office appears to have mistaken the nature of the requisition made in my letter, No. 4213, dated the 11th idem. What was required was a Proposition Statement in the usual tabular form, showing the monthly cost of the establishment required by Mr. Nicolson for conducting the survey of waste lands in Assam, and I am now to request that this statement may be furnished as early as practicable.

From Lieutenant Colonel *J. Gastrell*, in charge Surveyor General's Office, to the Junior Secretary to the Government of Bengal (No. 13); dated 24 November 1863.

I AM sorry that I should have misunderstood the requisition first made, and I have now the honour to forward the accompanying Proposition Statement called for in your letter No. 4344, dated 20th instant, and, in doing so, to observe, that the peculiar operations of the Survey Department necessitate periodical, and often sudden, changes in the establishments of the Revenue Surveyors, entirely dependant on professional requirements, but subsequently checked and regulated by this office. It is impossible, therefore, to give more than a general average for each month, and this has been done accordingly :—

STATEMENT of the approximate Monthly Cost of the Establishment proposed for the second Revenue Survey Party in Assam :—

	Rs.	*a.*	*p.*	*Rs.*	*a.*	*p.*
Mr. J. O. Nicolson, Assistant Revenue Surveyor in charge, salary	400	–	–			
Deputation allowance	200	–	–			
				600	–	–
Contract allowance for Contingencies	–		–	100	–	–
1 Sub-assistant Revenue Surveyor	–		–	150	–	–
14 Clerks, Draftsmen, and Native Surveyors, from 10 rupees to 75 rupees each	–		–	467	–	–
1 Native Doctor	–		–	20	–	–
100 Tindals, Measurers, or Clashies, from *Rs.* 4. 8. to 8 rupees each	–		–	576	–	–
9 Guards, burkundauzes	–		–	57	–	–
				1,970	–	–
Travelling allowance for Mr. Nicolson, at 5 rupees per diem	150	–	–			
Ditto – ditto – for sub-assistants, at 3 rupees per diem	90	–	–			
Ditto – ditto – of establishment, at 3-10ths rupee per diem	110	–	–			
				350	–	–
Feed of two Elephants, at *Rs.* 22. 8. each per month	45	–	–			
				45	–	–
Probable average monthly charge – *Rs.*				2,365	–	–

The other miscellaneous charges provided for in Budget Estimate are not monthly ones, and, therefore, are not included in the above Proposition Statement.

J. Gastrell, Lieutenant Colonel,
In charge Surveyor General's Office.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department (No. 4663); dated 11 December 1863.

With reference to paragraph 2 of the orders of the Government of India, in the Financial Department, No. 4277, dated 3d September last, copy of which was forwarded, with the endorsement from your office No. 6086, dated 28th idem, I am directed to state, that the Surveyor General has requested, that a grant of 11,541 rupees out of the amount provided in the Budget of 1863–64, under British India Land Revenue, may be placed at his disposal, to meet the expense of conducting the survey of waste lands in Assam, for five months of the current financial year, viz., from November 1863 to March 1864, both inclusive.

2. The items making up the amount required are as follows:—

Estimate for Five Months.	*Rs.*
Contract allowance for contingencies, at 100 rupees per mensem	500
Mr. Nicolson's establishment, at 1,270 rupees per mensem, as per Tabular Statement	6,350
Travelling allowance to Mr. Nicolson, at 5 rupees per diem	760
Ditto - ditto - to junior sub-assistant, at 3 rupees per diem	456
Ditto - ditto - to clerks, draftsmen, native surveyors, &c., at *Rs.* 3. 10. per diem	550
Purchase of two Elephants	2,000
Feed of two Elephants, at *Rs.* 22. 8. each per mensem	225
Boat-hire, transit of stores, &c.	100
Camp equipage	600
Total	*Rs.* 11,541

A separate Proposition Statement, showing the monthly cost of the establishment alone, is also submitted, in which it will be perceived, that the deputation allowance to Mr. Nicolson at 200 rupees per mensem, the continuance of which was advocated in my letter No. 4212, dated 11th ultimo, has been included, and I am now to solicit the early sanction of His Excellency the Governor General in Council to the arrangements proposed, the survey being urgently needed in Assam.

FORT WILLIAM.

Bengal Revenue Department.

YEAR.	Revenues.		Charges.		Total.		Net.	
	Ordinary.	Extraordinary.	Ordinary.	Extraordinary.	Revenue.	Charges.	Surplus.	Deficit.

Extract from Home Department Government of India.		Office to which the Proposition refers.	NATURE OF CHARGE.		PROPOSITION.						Casual or Extraordinary.	Grounds of Proposition.	Local Government's Recommendation.	Orders of the Government of India.		
					Permanent.		Temporary.							Home Department.	Financial Department.	
No.	Date.		Present Scale.	Proposed Scale.	Increase per Month.	Decrease per Month.	Increase per Month.		Decrease per Month.					Remarks.	Remarks.	Orders.
		Revenue Survey Department: Establishment required by Mr. Nicolson for the Survey of Waste Lands in Assam.	*Rs.* a. p. Mr. Nicolson, Assistant Revenue Surveyor in charge 400 – – Deputation allowance - - - 200 – – Total - *Rs.* 600 – –	*Rs.* a. p. Mr. Nicolson, Assistant Revenue Surveyor in charge - - - 400 – – Deputation Allowance - 200 – – 1 Sub-Assistant Revenue Surveyor - 150 – – 14 Clerks, Draftsmen, and Native Surveyors, from 10 rupees to 75 rupees each 467 – – 1 Native Doctor - 20 – – 100 Tindals, Measurers, or Clashies, from *Rs.* 4. 8. to 8 rupees each - - 576 – – 9 Guards, Burkundauzes - - - 57 – – Total - *Rs.* 1,870 – –	*Rs.* a. p.	*Rs.* a. p.	Period.	*Rs.* a. p.	Period.	*Rs.* a. p.	Casual	*Vide* separate Letter, No. 4663, dated this day.	Favourable.			
					– –	– –	For such period as the Survey may last.	– –	–	– –						
					– –	– –	– – –	1,270 – –								

Fort William,
11 December 1863.

S. G. Bayley,
Junior Secretary to the Government of Bengal.

— No. 32. —

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Officiating Secretary to the Government of Bengal (No. 46); dated 8 December 1863.

I AM directed to request that you will submit, for the early consideration of his Honour the Lieutenant Governor, the accompanying copy of a docket, from the Officiating Commissioner of Assam, No. 75, dated 9th November, with its enclosures, asking for instructions as to the course to be pursued, where the grantees of waste lands delay or refuse to cut down the jungle on their boundaries, so as to enable the revenue surveyors to complete their work.

2. The Board of Revenue are not aware of any law by which the grantees of such lands, or any other landholders, can be compelled to make a clear line round their estates for survey purposes, or to provide labour to enable the Government officers to get this necessary duty performed. On the contrary, by Rule XVIII. of the "Survey Manual," it is prescribed definitively, that the expense of cutting jungle and erecting boundary marks, is to be charged in the surveyor's contingent bills. In the regulation districts this could never be other than an inconsiderable item; in Assam, where the lines are to be cut through virgin forest, the charge must be ruinous if imposed on the grantees or owners, and will probably absorb a large proportion of the sale proceeds of the lands if it is to fall on Government.

3. The remedy, therefore, proposed by the authorities in Assam, would be ineffectual. On the other hand it would be probably impossible for the surveyors in Assam, without the assistance of the grantees, to procure, at any price, the labour needful for the work; and, at any rate, the expense would at present be enormous.

4. Where, therefore, the boundaries of contiguous grants are covered with a forest growth, the Board propose, with the approval of the Government, to instruct the surveyors to leave such boundaries for the present unsurveyed. Contiguous grants would, according to this plan, be grouped together, and surveyed at present in one block only. Hereafter, when the grants are cultivated and cleared, the obstacle will have disappeared, and the detailed survey may be made.

5. Of course these instructions would not apply to the case of any grantee, who, for the purpose of securing immediately a professional survey of his grant, was willing to aid the authorities by having the boundaries sufficiently cleared, to make it feasible for the survey to be effected.

MEMORANDUM from Major *W. Agnew*, Officiating Commissioner of Assam (No. 75); dated 9 November 1863.

COPY forwarded to the Secretary to the Board of Revenue for orders, and with a recommendation that Mr. Smart be vested with the powers referred to.

From Lieutenant *J. Gregory*, Officiating Deputy Commissioner of Seebsangor, to the Personal Assistant Commissioner of Assam (No. 477); dated 30 October 1863.

I HAVE the honour to report, for the information of the Commissioner, that Mr. Smart, the Assistant Revenue Surveyor, commences operations on the 15th proximo, and request your obtaining definite instructions for me, as to how I am to act, in cases in which the owners of grant of waste land delay or refuse to cut their boundaries; the survey was delayed last year in one instance, for some time, owing to the planter, to whose garden a party had been sent, being unwilling to take his coolies from their work, to cut boundaries. This year, I anticipate more trouble of this kind, as planters can now have their grants put up for sale before survey, and have not the inducement to get their grants surveyed quickly, which they formerly had.

2. In Bengal, it is, I believe, the custom to give the Revenue Surveyor the powers of a deputy collector, and he, in case of any vexatious delay, can fine the offenders 50 rupees for each separate offence, provided that the fines do not, in the aggregate, exceed 500 rupees; unless some provision of this kind is made, I am afraid that the survey may be delayed, as labour is very scarce, and there isgreat competition for it, and planters grudge every man taken away from the factory work. Under Act XX. of 1848.

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4904); dated 31 December 1863.

I AM directed to acknowledge the receipt of your letter, No. 46, dated the 8th instant, submitting, for orders, copy of a communication from the Commissioner of Assam, asking for instructions as to the course to be pursued when the grantees of waste lands delay or refuse to clear the boundaries of their grants sufficiently to enable the surveyors to complete their work.

2. In reply, I am desired to say that, in the first instance, every endeavour should be made to induce grantees not only to point out their boundaries, but to cut down so much of the jungle as to enable the surveyor to take the bearings, and lay down the boundary accurately on the map. If, after due notice and warning, the grantee refuses or omits to point out his boundaries, or to clear the jungle, so that they may be accurately laid down by the surveyor, the course proposed * by the Board may be adopted.

*Paragraph 4.

3. Every grant of unsurveyed land should be given on condition that the grantee will render all necessary assistance to the surveyor, by cutting jungle, and otherwise facilitating an accurate survey, and that he will abide by the collector's decision as to the proper boundary of his grant; and an agreement to this effect should be invariably taken in such cases.

— No. 33. —

From Captain *Hector Mackenzie*, Secretary to the Chief Commissioner of the Central Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 4165); dated Nagpore, 22 September 1863.

I AM desired by the Officiating Chief Commissioner to acknowledge the receipt of letter, No. 132, of the 18th June last, from the Secretary to Government, in the Foreign Department, calling for a return of arrangements made for the sale of waste lands in these provinces, under the Resolution of the 17th October 1861; and in reply, to inform you, for the information of his Honour the President in Council, that no such arrangements have been made in these provinces beyond the proposed sale of 16,000 acres to Mr. Meik, at four annas per acre, which was specially sanctioned in letter from the Foreign Secretary, No. 685, of the 13th December 1862, and this sale has not yet been actually carried out.

No. 6830, dated 30 October 1863.

COPY forwarded to the Foreign Department, with the remark that in this department there is no information as to the large grant said to have been sanctioned in Mr. Meik's favour, and with a suggestion that, as it is intended apparently to give effect to the grant eventually, the Chief Commissioner may be called on to show it, with all necessary details of explanation in the statistical return for the Central Provinces, required by the Secretary of State.

By order,
(signed) *J. W. S. Wyllie*,
Under Secretary to the Government of India.

From *J. T. Wheeler*, Esq., Assistant Secretary to Government of India, Foreign Department, to the Officiating Chief Commissioner, Central Provinces (No. 325); dated 6 November 1863.

WITH reference to your Secretary's letter, dated 22d September last, No. 4165, to the address of the Secretary to the Government of India, Home Department, I am directed to request that the grant of land sanctioned in Mr. Meik's favour may be entered, with all necessary details of explanation in the Statistical Return for the Central Provinces required by the Secretary of State.

From *R. Simson*, Esq., Secretary to the Government of the North Western Provinces, to *E. C. Bayley*, Esq., Secretary to the Government of India (No. 1270 A); dated Nynee Tal, 30 October 1863.

WITH reference to the letter from your office, No. 6423, dated 9th instant, and to previous correspondence, I am directed to forward, for the information of the Government of India, the accompanying copy of a letter this day addressed to the Sudder Board of Revenue, and to state that the required return will be submitted as soon as possible.

From *R. Simson*, Esq., Secretary to the Government of the North Western Provinces, to *B. Hardinge*, Esq., Officiating Secretary to the Sudder Board of Revenue, North Western Provinces (No. 1269 A); dated Nynee Tal, 30 October 1863.

THE Government of India having again addressed this Government on the subject, I am directed by the Honourable the Lieutenant Governor to draw the attention of the Sudder Board of Revenue to the orders of Government, marginally noted, to the numerous calls which have been made for the report required regarding the sale of waste lands and the redemption of the existing land revenue, and to the great delay which has occurred in its submission; and I am desired by his Honour to request that active measures may be taken to prevent the recurrence of a state of things which is not creditable to the system of conducting public business in these provinces.

No. 945 A, dated 26 August 1862.
No. 1041 A, dated 17 September 1862.
No. 1027 A, dated 1 November 1862.
No. 127 A, dated 26 January 1863.
No. 927 A, dated 15 August 1863.

No Orders.

From *L. B. Bowring*, Esq., Commissioner of Mysore, to Colonel *H. M. Durand*, C.B., Secretary to Government of India, Foreign Department (No. 379); dated Bangalore, 6 January 1863.

IN reply to paragraph 2 of Mr. Aitchison's letter, No. 708, dated the 31st December 1862, I have the honour to represent that, so far as the Coorg district was affected by the orders contained in your letters, No. 480, dated 30th August 1862, and No. 543, dated 26th September 1862, an answer was submitted with my letter, No. 33, dated 24th October 1862.

2. I did not understand that it was the desire of Government that I should send a similar report for Mysore, as, from the fact of this province being foreign territory, I did not suppose that the circular enclosed in No. 480, dated 30th August 1862, could be considered applicable to it. In fact, there never has been any permanent alienation of land in Mysore, household property in Bangalore, even being held only so long as troops of the British Government may be stationed there. The reason, of course, is, that the territory belongs to the Maharajah, and that the Commissioner, as stated in your letter, No. 42, of 29th January 1862, has not the power of assigning away land in fee simple.

3. As I am doubtful whether the Government would wish me to agitate a question involving the construction of the right of the British Government to alienate land in Mysore, I solicit that I may receive further instructions on the subject, should it be deemed an open question.

From *J. T. Wheeler*, Esq., Assistant Secretary to Government of India, Foreign Department, to the Commissioner of Mysore (No. 69); dated 4 February 1863.

In reply to your letter, dated the 6th ultimo, No. 379, I am directed to inform you that there is no intention to disturb the orders conveyed in this office letter, No. 42, dated the 29th January 1862, regarding Mysore; but the Governor General in Council wishes to know whether your views, submitted in your letter, No. 26, dated 23d August last, have been modified since the publication of the Despatch regarding waste lands, and is also desirous of receiving your draft rules as soon as possible.

— No. 34. —

From *C. Bernard*, Esq., Officiating Secretary to Chief Commissioner, Central Provinces, to Colonel *H.M. Durand*, C.B., Secretary to Government of India, Foreign Department, with the Governor General (No. 776); dated Nagpore, 25 February 1863.

The Government of India is aware that there is in these provinces much excess of jungle and waste over and above the requirements of the land tax-paying communities. This excess has not heretofore been especially excluded from village areas, or defined as State property. I am now to submit, for the information and approval of his Excellency the Governor General, a sketch of the steps the Officiating Chief Commissioner proposes to take with the view of securing to the State its just rights.

2. I am to premise that the subject attracted much attention from the revenue authorities of the North Western Provinces. When revision of settlement in the Saugor and Nerbudda territories was about to take place, much correspondence passed between the Commissioner of the Saugor and Nerbudda territories, the Sudder Board of Revenue, and the Government of the North Western Provinces, on the subject of reserving, in behalf of the State, the right to all extensive forests and wastes.

3. A short abstract of this correspondence will be found in Appendix (A.) to this letter.

4. From the correspondence above alluded to it would appear:—

1stly. That the right of the State to exclude these excess wastes and forests from village areas has been repeatedly affirmed by high authorities.

2dly. That the right to cut timber, gather firewood, and other manorial perquisites, known as Sayer rights, go with the land. If excess wastes and forests are excluded from village areas, manorial or Sayer rights over those tracts may be denied to village proprietors.

3dly. That it has been determined by competent authority to exclude these excess wastes and forests from village areas in the Saugor and Nerbudda territories, and they ought to be separately demarcated as State property.

5. The Officiating Chief Commissioner finds that nothing has yet been done by revenue authorities in the Saugor and Nerbudda territories in the matter. It remains, then, to issue detailed instructions as to the mode in which the intentions of Government are to be carried out and the rights of the State secured.

6. Before detailing the instructions he would propose to issue, the Officiating Chief Commissioner would observe that the right of the State to excess wastes and forests is as undoubted in the Nagpore Province as it is in the Saugor and Nerbudda territories. He believes, therefore, that the instructions he would propose to issue may be followed in all districts of the Central Provinces.

7. The

7. The following are the instructions which the Officiating Commissioner would issue:—

I. Each Settlement Officer, having examined and disposed of all claims to possession or quasi-possession, direct or indirect, must at once proceed to consider the subject of exclusion of excessive uncultivated area, to which no claim can be substantiated, but which is included, or about to be included in the village measurements.

II. One Hundred per cent. on the cultivated area should be the minimum and 200 per cent. the maximum amount of uncultivated land to which the agrcultural community of a village may be considered to have a claim.

III. In tracts already measured or surveyed, the Settlement Officer should proceed to decide generally from what villages a portion of the land included in their areas should according to above rule be excluded.

IV. The Settlement Officer should then take up each case, and decide whether the amount of uncultivated land to be allotted in proprietary right, should be equal to or double the cultivated area, or whether it should be fixed at any intermediate proportion.

V. In tracts not yet measured or surveyed the above investigations should proceed hand in hand with measurement or survey, whichever may be carried out first.

VI. When settlement officer has decided all the cases falling under Rule III., report should be made to the Commissioner before assessments are made.

VII. When measurements have been completed, the boundary line of the areas to be excluded should be laid down afresh on the land itself and on the field maps, information being conveyed to the Revenue Surveyor, with a view to the new boundaries being marked off in his maps. The settlement officer should prepare sketch maps of the newly formed State properties. Where it may be inconvenient to prepare a new map, the boundaries of the State property should be shown on the original village map.

8. With respect to Rule III. the Officiating Chief Commissioner believes the margin of uncultivated land to be included in village area is liberal without being too large. Much would depend on the state of the village, its probable future requirements, and the nature of the soil. In case an agricultural community should bring under cultivation all, or nearly all, its allotted uncultivated land during the currency of the settlement now about to be made, it would be in the power of Government to grant to the village proprietors, on liberal terms, any portion of an adjoining State property that had not been otherwise disposed of.

9. The considerations that should guide the settlement officer in coming to a decision under Rule IV. would be various, and the Officiating Chief Commissioner will not trouble his Excellency the Governor General with an enumeration of them. If these Rules should be approved, the Officiating Chief Commissioner could issue subsidiary instructions to guide Settlement Officers in administering Rule III.

10. In carrying out this Rule, the Officiating Chief Commissioner will take care that the claims of talookdars (superior proprietors) to manorial rights over thinly inhabited and scantily cultivated forest tracts, are carefully and cautiously considered and reported. From a *primâ facie* view, however, of talookdaree proprietorship, the Officiating Chief Commissioner is of opinion that tracts which have heretofore been held by talookdars do not require special rules for their treatment in regard to the exclusion of excessive waste. But there may be a few cases where the terms and circumstances of the original talookdaree grant are peculiar. Claims on such grounds will be carefully examined and referred by the Settlement Officer for special orders.

11. In regard to Rule VII. the Officiating Chief Commissioner believes it will be, for many reasons, better to separate wastes, and form them into separate State properties than to include them within village areas. Sketch maps,

too, will be obtained of tracts available to purchasers under the Waste Land Sale Rules.

12. In view of the urgency of the matter, and of the fact that proprietary rights are in course of being conferred in some of the districts of the central provinces, the Officiating Chief Commissioner has circulated to all revenue authorities instructions in the spirit of the Rules which he now submits for the sanction of his Excellency the Governor General.

APPENDIX (A.) to 776, dated 25 February 1863.

ABSTRACT of Correspondence on the subject of the right of the State to excess Wastes and Forest.

(*a*) Proclamation regarding New Settlement by Government North Western Provinces, dated 24th June 1854, paragraphs 17 and 18.
(*b*) General instructions in regard to settlement of the Saugor and Nerbudda Territories, paragraph 25.
(*c*) Note on jungle and waste in Saugor and Nerbudda Territories by Senior Member of Sudder Board of Revenue, North Western Provinces recorded in 1855, paragraphs 1–18.
(*d*) Commissioner J. to Sudder Board Revenue, No. 407, of 16th June 1855.
(*e*) Sudder Board Revenue to Government on above, No. 695, 3d July 1855.
(*f*) Government North Western Provinces on above, No. 1589 A, of 25th July 1855.
(*g*) Government, North Western Provinces, to Commissioner J., No. 1489 of 24th August 1859, paragraph 3.
(*h*) Sudder Board Revenue to Government North Western Provinces, No. 886 of 8th December 1859, paragraph 25.
(*i*) Sudder Board Revenue, to Commissioner J., No. 976 January 1860, paragraphs 3, 4, and 5.

(*a*). Government reserves the right to all large forests where valuable timber exists, and these forests are to be excluded from settlement.

Government, also, reserves the right to large tracts of land, either forest or uncultivated. This is not, however, to apply to small portions of uncultivated, or jungle, on hills not of much value.

(*b*). Extensive forest and jungle tracts are to be excluded from settlement. Large areas of waste, held for pasture only, are to be arranged for specially in view to their clearance.

(*c*). Excepting the three forests of Durassee Dogur Fal, south-east of Seonee, and Gurrukote, in Saugor, no forest lands were excluded from last settlement. At a new settlement the State can determine regarding the disposal of all such lands, viz., all excess of jungle and waste within the limits of villages, and all extensive tracts of forest and waste distinct from village areas.

Owing to the hilly and stony character of these lands, unavailable for agriculture, it would be useless expense for Government to mark off and survey all excess of jungle and waste within the limits of villages for the purpose of making separate farms of the Sayer, which, including the right to pick up fire-wood, other rights of "dhang," and other manorial privileges, the people had heretofore enjoyed and prised. Therefore, although had the lands in question been to any great extent available for agriculture, it might have been advisable to adopt the usual principle of relinquishing a liberal allowance of jungle to the party admitted to the proprietary right, and of assigning the residue in clearing leases; yet, under the circumstances, it has been considered advisable that these lands shall remain attached to the villages to which they have been reputed to belong, and that only extensive and continuous tracts of jungle shall be excluded from the village areas, and from the village settlement.

Although "attached" to the villages, however, the proprietary right would remain with Government, who would concede the right to only that portion of the land which might equal the cultivation of the village. The whole might thus be gradually acquired by the village proprietor.

The manorial privileges would however, remain as before, over the whole, and be unrestricted. The general interdict against the removal of timber is considered profitless and vexatious, and the conservation of timber should be limited to particular localities.

There are few tracts of waste or prairie land available for pasture grounds, which should be separated from village areas. Such might be reserved for clearance leases. It would be advisable *ad interim* to farm them where they are not so separated, providing that portion might be assigned to third parties at the end of any agricultural year, a corresponding reduction being given in the village jumma.

(*d*). The lands under discussion are not so hilly and sterile as was supposed by Mr. Reade.

Only near large towns should any departure from Mr. Reade's plan be allowed, by marking off prairie lands as he proposed.

The particular localities, where alone timber should, according to Mr. Reade, be conserved would form the subject of enquiry and future report.

Commissioner entirely agrees with Mr. Reade on every other point.

(*e*). Board agrees with Mr. Reade, and requests Government orders on his plan.

(*f*). Lieutenant Governor disapproves of the plan.

If the amount of jungle now reputed to attach to villages be not sufficient to warrant the exclusion from the village settlement of the lands under discussion, it should be at once declared the village property.

(*g*). Government, with reference to Deputy Commissioners Jubbulpoor's letter No. 59, of the 1st August 1859, on another subject remarks that, although Deputy Commissioner may not have been in the habit of looking upon jungle and forest as the property of the State, but as attached in every case to one or another village, Lieutenant Governor is disposed to think that, on enquiry, many of the villages would be found to have unlawfully usurped possession of the jungle. This point should be specially enquired into at settlement.

(*h*) The

(*h*). The right of Government to extensive forests and wastes is unquestioned.

(*i*). Sudder Board of Revenue draws attention to Proclamation of 24th June 1854, *a*.—Adds that the plenary right of the State to forest and excess of jungle and waste exists in principle, and has been especially reserved; also points out the error which would be committed by the relinquishment by the State of large areas of forest and waste to individuals incapable and unwilling to reclaim them, along with the proprietary right of villages or plots of land.

From the Under Secretary to Government of India, Foreign Department, with the Governor General, to the Officiating Chief Commissioner, Central Provinces, (No. 57); dated Camp, Secunderpore, 20 March 1863.

In reply to your Officiating Secretary's letter, No. 776, dated 25th ultimo, submitting for sanction certain rules respecting excess of jungle and waste lands over and above the requirements of the land-tax-paying communities in the central provinces, I am directed by His Excellency the Viceroy and Governor General to inform you that the rules are approved so far as concerns waste and forest lands in which no proprietary rights of individuals or of villages are found to exist. But where such rights do exist, they must be recognised and secured. Rule II. points to an arbitrary restriction of village claims and no such arithmetical measure of rights is sound or admissible. If there be villages or individuals having definite rights in waste or jungle lands, these rights must be recognised to their full extent, whether the area in which they lie exceeds 200 per cent. on the cultivation or not. You are requested to amend the rules accordingly.

From Captain *Hector Mackenzie*, Secretary to Chief Commissioner Central Provinces, to the Under Secretary to Government of India, Foreign Department, with the Governor General, Camp, (No. 1632); dated Nagpore, 29 April 1863.

I am directed to acknowledge your No. 57, of the 20th March, regarding the rules relating to excess waste land.

2. The Officiating Chief Commissioner regrets that the wording of Rule II. should have been framed so as to have appeared to indicate an arbitrary restriction of village claims, that is of rightful village claims; it was by no means his intention to impose any such restriction: the arithmetical measure of rights was intended (as now ordered by Government) to apply only to cases where no right or claim could be substantiated, and where no definite limit was ascertainable. The Officiating Chief Commissioner trusts that this intention will be apparent from the wording of the first rule, wherein it was provided that all claims to possession or quasi-possession, direct or indirect, were to be disposed of, and that excess waste could be considered only in cases where no such claim can be substantiated; whence it was intended to follow that 200 per cent. on cultivation was to be the maximum only in cases where there was no substantiated right and no specific limit.

3. In order to place this beyond the possibility of mistake on the part of Settlement Officers, and in accordance with the instruction conveyed in your letter under acknowledgment, the Officiating Chief Commissioner has prefixed to Rule II. the following words, which, together with amended Rule, would stand thus:—"II. In cases where no specific rightful claim shall be substantiated, 100 per cent. on the cultivated area shall be the minimum, and 200 per cent. the maximum per cent. of uncultivated land, which should ordinarily be awarded to the agricultural community of a village."

4. It is hoped that this will be approved by His Excellency the Viceroy and Governor General.

From the Under Secretary to Government of India, Foreign Department, with the Governor General, to the Officiating Chief Commissioner, Central Provinces, (No. 110) ; dated Simla, 18 May 1863.

I AM directed to acknowledge the receipt of your Secretary's letter, No. 1632, dated 29th ultimo, regarding the rules relating to excess waste land, and, in reply, to inform you that the amendment which you propose in Rule II. is approved by His Excellency the Viceroy and Governor General.

— No. 35. —

From *J. D. Sandford*, Esq., B.A., Officiating Secretary to Government of North Western Provinces, to Colonel *H. M. Durand*, C.B., Secretary to Government of India, Foreign Department, with the Governor General (No. 305 A) ; dated Allahabad, 4 March 1863.

IN reply to Mr. C. U. Aitchison's letter, No. 11, dated 13th January last, relating to the proposed introduction of a permanent settlement in some of the districts under the administration of the Chief Commissioner of the Central Provinces, I am directed to forward for submission to His Excellency the Governor General the accompanying copy of a letter, No. 102 A, dated 23d ultimo, to the address of the Secretary to the Sudder Board of Revenue, North Western Provinces, together with copies of the minutes recorded by the members of the Board on that subject.

2. I am also desired to forward a printed copy of Mr. R. M. Bird's note on the Saugor and Nerbudda territories, dated 31st October 1834, referred to in the 3d paragraph of Mr. Muir's minute.

From *A. P. Howell*, Esq., Officiating Under Secretary to Government of North Western Provinces, to *G. H. M. Batten*, Esq., Secretary to Sudder Board of Revenue, North Western Provinces, Allahabad (No. 102 A) ; dated 23 January 1863.

*No. 11, dated 13 January, and enclosure.

I AM directed by the Honourable the Lieutenant Governor to forward for report the accompanying copy of a letter* from the Under Secretary to the Government of India in the Foreign Department (Revenue), relative to the proposed introduction of a permanent settlement in some of the districts under the administration of the Chief Commissioner of the Central Provinces.

2. His Honour believes that the 20 years' settlement of the five districts of the Saugor Division was of quite a summary character, such as could ill be made the foundation of a permanent settlement ; but this is a mere impression which the Lieutenant Governor has received from matters which have been brought under his notice from time to time, as especially from the fact that in some districts, Saugor notably, the revenue was found to press so heavily as to demand summary reduction.

3. The Lieutenant Governor believes that the records of your office, and the personal knowledge of the senior member will enable the Board to give a more full and definite reply to the enquiries of the Government of India.

NOTE on the orders of Government, No. 102 A., dated 23 January, and of the Supreme Government, dated 13 January, on the question of a permanent settlement of the Land Revenue in the Jubbulpore Division by the Senior Member of the Sudder Board of Revenue, North Western Provinces.

Mr. Temple is of opinion that a permanent settlement of the Land Revenue may be introduced partially into five of the districts of the Jubbulpore Division noted in the margin,* on the ground that sufficient experience has been gained by the 20 years' settlement, which expired seven or eight years ago, and that, with "the aid of a professional survey, there will be few estates of which it may not be safely affirmed that their assessment is as good as that of the estates of any Province in India."

* Jubbulpoor.
Saugor.
Dumoh.
Nursingpore.
Hoshungabad.

2. The question has been referred to this Board for report generally, and specially in reference to the nature of the 20 years' settlement above referred to.

3. The 20 years' settlement was based upon the proposals made by Mr. Robert Merttons Bird, in his note, dated 21st October 1834,† see paragraphs 2, 3, 8 and 9. Mr. Bird found the Province labouring, among other evils, under the effects of a heavy assessment, with the demoralising result of continued application for the remission of balances, and he advocated a light assessment, such as could be realised uniformly and without difficulty for a period of 20 years.

† Reprinted by Mr. E. A. Read in 1859; copies will probably be in the Secretariat office.

4. The main object was thus, from the rough materials at command, to assess a moderate demand. In referring to the Settlement Reports, it will be found that the basis of the settlement was for the most part of a very rudimentary character. Sometimes there was no measurement at all, sometimes the measurements of one of the preceding quinquennial settlements was adopted. In Nursingpore, Hoshungabad, and Dumoh, the measurement Ameers are described as so inefficient that "Their crude calculations rather confound than assist."

5. Had these settlements been formed even upon superior materials, their subsequent history shows that they were ill fitted to be a standard for future assessment. In Seonee it became necessary to arrest the advance of the progressive assessments. Notwithstanding the moderation urgently inculcated, the settlements were found to press so heavily, that a general reduction of 10 per cent. was allowed by Major Sleeman. This revision being a rateable and indiscriminate remission left inequalities of pressure unaffected.

6. In spite of this measure, it was found a few years since that the Government demand pressed so heavily in Jubbulpore, Dumoh, and Saugor that extensive relief was required. The need was so immediate, that the regular settlement, then close at hand, could not be availed. The District Officers were accordingly authorised on a rough survey of the assets and condition of all the oppressed estates, to make heavy summary reductions, which received the sanction on Government. These embraced a large proportion of the villages in the districts named.

7. Thus, neither as regards their original mode of formation, nor as tested by their actual working, can the 20 years' settlement pretend to hold out any sure light to guide towards a permanent assessment.

8. It is true that in Hoshungabad, Nursingpore, and Baitool, the settlement was found to be more moderate, and the jumma has been realised without difficulty. But while the assessment may thus be held to be moderate in these districts, there is no proof that it is either sufficient in amount or equally distributed.

9. It is less, however, in reference to the past settlements than to the existing state of the Jubbulpore Division, that I should hesitate before recommending the immediate introduction of a permanent settlement. At the time the opinion of our Board was called for on the general question of a permanent settlement, the Jubbulpore Division was still under us; and in my Minute on the subject, dated 5th December 1861, para. 58,‡ I briefly alluded to the exceptional state of this Division.

10. The two main considerations are, that the Division has never yet had any outlet for its vast production, and that the right of private property in the soil has not hitherto been conceded.

11. Both

‡ I am doubtful likewise whether the Jubbulpore Division and Chundeyree, and perhaps part of Jhansi, may not also fall under the same category, (*i.e.* of not being sufficiently advanced for a permanent settlement). In the first-named division the proprietary title has hitherto been declared vested exclusively in Government, and the occupants have been held to be only farmers. The proprietary right is now about to be recognised. Moreover, the revenue arrangements there, have never been in a satisfactory state, there are large tracts of land lying waste, and the region is emphatically in a transition state. The opening of the Bombay Railway will at once raise prices to an enormous extent. And altogether it may be prudent to see the effect of the new settlement for some years, before finally fixing it for ever. The point is one on which further discussion may throw new light, and I am unwilling at present to express a decided opinion upon it.

11. Both causes have tended to depress the territory. The first neutralised the benefit of fertile seasons and general prosperity, by keeping prices low; the markets were glutted with grain—there was no demand. On any failure of crops again, the agricultural population suffered in a corresponding degree; for the communications were so imperfect and distant, that the importation of grain was tedious and expensive. The population lived from hand to mouth. Now that a double outlet towards Allahabad and towards Bombay will soon be provided, this evil will disappear. Demand will be created and sustained uniformly, rents will rise, capital will accumulate, and a marvellous improvement may be shortly expected in this fertile Province.

12. So in respect of proprietary right it was formerly held to vest exclusively in the Government, the occupants were treated simply as farmers. They could not alienate their rights without the consent of the District Officer, their title to possession was altogether insecure. The new settlement will remedy this also, for it is to be concluded with the occupants on the footing of a full proprietary title.* The proprietors will henceforth have a new and powerful incentive to exertion and to the expenditure of skill, labour, and capital in the improvement of their estates.

* *See* Appendix to Directions to Settlement Officers, page 157.

13. I believe that Mr. Bird's impression, as expressed in paragraph 7 of his note, would be still the impression of any traveller from the north-west. "In passing through the country," he writes, "it was impossible not to be struck by the remark how little the hand of man had done for its improvement. The natural fertility and high capabilities of the tract exhibited, in yet more prominent contrast, the negligence, improvidence, and indifference of the rural population. I could not but feel what a contrast the face of a country possessing so many natural advantages would present, if tilled even by the cultivators of Upper India."

14. In short, it appears to me, that this part of India is hardly prepared yet for a permamanent settlement.

15. But the next 10 years will probably produce a vast development, both in its resources and in the character of the people, and it might possibly then be ripe for the measure.

16. I am inclined to think that the settlements now under preparation might consequently be sanctioned, in the first instance, for 10 years only, leaving the Government then free to deal with the question according to the circumstances of the day, or preferably, the settlement might be made according to existing instructions, for 30 years, with the condition that at any period after the first 10 years, the Government should be at liberty to revise it, with a view of effecting a permanent settlement. This latter plan would probably make the inducements to improvement stronger than a settlement limited to 10 years.

17. I would not advocate under any circumstauces the permanent settlement of occasional villages here and there in a district. The measures, when resolved on, should extend to all the estates comprised within some considerable limits.

(signed) *W. Muir,*
Allahabad, 14 February 1863 Senior Member.

NOTE by the Junior Member of the Sudder Board of Revenue, North Western Provinces, on Permanent Settlement of the Land Revenue in the Jubbulpore Division.

I ENTIRELY concur in the remarks recorded by Mr. Muir.

I have no doubt it will be found that the average rate of assessment on each acre of culturable land, under the settlement now in progress, is considerably below the existing average of the North Western Provinces, notwithstanding the soil in the Central Provinces is certainly not less productive. The lowness of the rents on which the assessment is made, is a necessary consequence of the lowness of prices caused by the non-existence of any outlet for surplus produce. The value of land will be so greatly increased by the opening of the railway through the heart of the Provinces, that the present state of the country can only be regarded as one of transition, and the amount of culturable but uncultivated land, is so large that any permanent settlement which could be immediately effected, must either be beyond measure inadequate, with reference to the prospective resources of the country, or too partial and limited in its operation to be productive of general benefit.

(signed) *R. Money,*
Allahabad, 17 February 1863. Junior Member.

NOTE by *R. M. Bird*, Esq., on the Saugor and Nerbudda Territories; dated 31 October 1834.

I BEG leave to record, for the information of the Board and eventually of Government, the observations and remarks which have occurred to me during my late tour through the ceded districts of Saugor and the Nerbudda.

My course was by the Sohagee Pass through Rewah to Nagond, Huttah, Saugor, thence through the Bhopal country to Hoshungabad, Nursingpoor, and Jubbulpoor, and thence by Rewah home. I did not visit Baitool or Seonee, those two stations being inaccessible by any mode of travelling which I could command. I obtained, however, from Captain Low, who has been long in charge of Baitool, and is acquainted also with Seonee, such information as compared with my personal observations on the remaining districts, enabled me to include those two districts also in the remarks and propositions which I propose to make.

The local officers divide the territory into the hill and valley districts, the latter term being applied to distinguish the country comprised in the jurisdiction of Hoshungabad and Nursingpoor, and lying principally in the valley of the Nerbudda from the remaining portions of the territory. There is, however, no real distinction, as far as my observation went, between them except the greater depth of the soil in the valley of the Nerbudda, and the greater extent of the valley itself.

The whole surface of the country is intersected with ridges of lime and sand-stone hills, with interjacent valleys of greater or less extent, down each of which a stream, larger or smaller in proportion to the length of its course, finds its way. The soil in all those valleys is of great depth and fertility. It is formed of decomposed basalt, which lies in masses on the face of the sand-stone strata, and of which the fertilising deposit is carried by every successive rain to renew the lower soil. Except in the valley of the Nerbudda the water is everywhere near the surface, and may be obtained in any quantity by digging to the depth of 18 feet. In the valley of the Nerbudda, the basaltic soil being of the depth of 30 feet, and always loose and crumbling, wells cannot be made except at a considerable outlay. But there are throughout every part of the territory numerous streams which cross the valley at short intervals, affording every facility for irrigation, and the most suitable materials for the formation of dams lie loose in the beds of the rivers in every direction. The soils vary from pure basaltic, which is the most fertile, through different gradations as the decomposition of calcarious, argillacious, or sandy rock has contributed in larger or smaller proportion to the mixture; but except on the ridges of the hills it everywhere holds out a fair promise to the industrious cultivator.

The districts of Saugor and Dumoh* were acquired from the Gond aborigines by Chutter Sal, Rajah of Bundelkhund, and principally peopled from that territory. They were bequeathed by Chutter Sal to the Peishwa, and brought under the usual system of Mahratta administration, to which the Saugor district became entirely assimilated; but the village institutions of Huttah still bear (as I shall hereafter have occasion to show) some affinity to those of Bundelkhund. The difference of administration to be observed in the territories held by the courts of Poonah and Nagpore is too slight to call for particular remark.

* Late Hutta and Rehlee.

In passing through the country it was impossible not to be struck by the remark how little the hand of man had done for its improvement. The natural fertility and high capabilities of the tract, exhibited in yet more prominent contrast the negligence, improvidence, and indifference of the rural population. Heaps of manure lay by the halting places of the Bheoparees, which no one took the trouble to collect and remove; amidst complaints of drought, fine springs were running to waste in every valley which a few hours labour in heaping together the loose rocks from the beds would have converted into reservoirs, for irrigating almost every field. Even from the large tanks which have been constructed in former times, the water is not drawn for the purpose of irrigation. I could not but feel what a contrast the face of a country possessing so many natural advantages would present if tilled even by the cultivators of Upper India.

The secret of all this apathy is doubtless to be found in the system of administration which has prevailed under the Mahratta Government. Under that system a composition was made for one, two, or more years, but if the year proved productive, an addition to the settled demand was always enforced; and, in latter times, when Ameer Khan or any other freebooter was pleased to levy an imposition, that also was raised by a *pro rata* cess on all the villages.

Under such a system which has now lasted, including the period of British rule, little short of a century, there could be no incentive to improvement; and it has unfortunately happened that the mode of management, since the country passed under the British rule, has been of a nature tending to continue and inveterate the evils which we found.

Certainly a great misconception prevailed regarding these territories at the cession. It was undoubtedly the wish of Lord Hastings to take credit for as large an item of fiscal value as he could, by way of offset against the expenses of the Pindaree war. It was not then perceived by any of those concerned that the entire pacification of Central India must by necessary consequence lower, in the first instance, the mere money value of this acquisition. The confidence, security, and enterprise that took place consequent on the cession of the territory to the British Government; the desolation, yet unrepaired, of all the surrounding states; the large armies not yet disbanded affording a ready market for the disposal at high prices of all surplus produce, and the unusual succession of favourable

seasons which then occurred, deceived the people as well as their rulers, and made the former as willing to offer, as the latter were to demand, a tribute which could never be maintained in other times. It appears never to have occurred even to the very intelligent officer who was first deputed to the charge that when the temporary and factitious demand and attendant higher prices should have passed away, when the dispersed population of the surrounding States should return, and have again begun to cultivate their extensive tracts of fertile waste in a territory utterly destitute of water carriage, and so deficient in land conveyance that the export of bulky articles could hardly afford a profit but at famine prices, it did not, I say, seem to have occurred that, after such changes, the prices of raw produce must fall, so that high rents could not be paid, and land would become so abundant that none would consent to make the attempt.

The result was exactly what might have been anticipated. The revenue first demanded, which involved a large increase on the average collections of the Mahratta States, could not be maintained; but as there must always exist a great uncertainty where revenue settlements are made without survey, and as all officers feel a repugnance to disappoint the expectations of Government, and an unwillingness to admit the necessity for a permanent diminution of revenue, the necessary remedies were not applied. In some districts, notwithstanding the falling off in the collections, a nominal increase was made to the jumma at subsequent settlements. In others reduction was granted, but quite insufficient to meet the exigency. The first years of British occupation happening to prove peculiarly favourable seasons, and the markets being for some time not overstocked, a larger revenue than the natural amount was realised. But the power of the payers has since been regularly declining, and when the course of unfavourable seasons, the periodical recurrence of which must always be looked for, arrived, the failure has been obvious and complete. But notwithstanding this distinct and demonstrable failure, and the conviction of the local officers that the existing demand must necessarily be lowered, the system which has been hitherto permitted is no other than an attempt to prop up, by temporary expedients, a revenue confessedly excessive. Those expedients have been of a nature to aggravate the ultimate difficulty, while the relief obtained by them could never be other than temporary. These have consisted in yearly remissions and a constant interference between the agriculturists and capitalists. The district officers have been allowed, when the seasons appeared to be unfavourable, to estimate as they best might the productiveness of the crops, and then to fix the amount that should be collected, and this not once or at distant intervals on the occurrence of an overwhelming calamity, but as a regular practice. The result which is stated to have followed this proceeding is what might have been looked for. An extensive system of fraud and peculation is said to have been introduced, and the cultivators rarely receive the benefit of that which is foregone by the Government, but have been forced to pay all that could be collected from them. On the other hand, a system of interference has been introduced which, by destroying all confidence, has driven away capital from the land. The stores of the merchants have been opened, and grain forcibly taken away to be given out to the cultivators, or seed, without any payment being made to the merchant, or any assistance afforded him for the subsequent recovery of the property of which he has been thus despoiled. This spoliation is stated to have occurred in favour of cultivators, to whom the bankers had refused to make advances from past experience of their fraud and unfaithfulness. Capitalists, having obtained decrees against agriculturists, were not permitted to sell their cattle or imprison their persons, because it was supposed either of those measures would leave the land uncultivated. There is little use in following out the narrative of this system throughout all the ramifications of detail. It is sufficient to say that an ample collection of facts openly stated by the natives, and which could not be denied by the European officers, afforded abundant proof that in the vain hope of propping up an exorbitant assessment, and under the mistaken notion of practical skill in the management of details, a system of mischievous interference in the private arrangements and concerns of individuals had almost universally prevailed.

The real fact is that the spirit of the administration of the Saugor Provinces is and has been opposed to those well ascertained elementary principles, without a due observance of which civil and social prosperity is impossible. Perfect freedom and security in the use and employment of property, strict administration of equal law, and, as far as Government are concerned, securing to every one the fruits of his own industry, are indispensable requisites. The system of the Saugor Provinces can only be mentioned in contrast with those principles. The demand of a jumma higher than can be realised, one year with another, or, indeed, that can be realised but during a succession of favorable years, leaves every man dependent not on his own skill and industry to create the largest possible surplus for his own use, after meeting the demand of Government, but on the bounty of Government, doled out at the discretion of the district officers, to leave him something out of its own demand on which he may subsist. Now that any district officer can justly afford the exact degree of indulgence required, or secure the due apportionment of the relief to the varying condition of those for whom it is intended is a mere impossibility. In such a state of things no cultivator can possibly calculate before-hand what he may be allowed to keep and what be forced to surrender; and this exchange of the stimulus of hope for the discouragement of utter uncertainty must paralyse all exertion. This system, combined with that of short leases, and no security for renewal, is of itself sufficient to account for the unimproved and exhausted state of the lands, which are ruined by over-cropping and want of culture.

As

As regards the administration of law, the evil practice of meddling with revenue details still comes in. No decree would be allowed to be executed, the collateral effect of which might be in the district officer's opinion to cause a field to lie waste, and thereby produce a loss of Government revenue. The loss is more certainly produced by interference than by abstinence, but this fact is still among the desideranda of Saugor science. There can of course be no freedom and security in the use or possession of property where a merchant's goods are liable to be forcibly taken away whenever Government requires, or rather the officer of Government imagines that he requires grain to give out to the cultivators, and chooses to take it without payment, or at a price fixed by himself.

It appears to me, that I have dwelt long enough on the evils of the system prevailing, and that it is unnecessary to go into more detail. That the principles are faulty is evident, and that the result, as far as collecting a large revenue is in question, has been a failure, is no less clear.

That the nominal demand is too high for the present condition of the territory, I had, in addition to the concurrent voice of the district officers, the opportunity of ascertaining on my route through a part of Bhopal. The whole of that superb valley lying between Pertabgurh and the Nerbudda appeared at least equal in fertility to any part of the Saugor territory, but the rates of revenue there are one-fourth lower than those of either Saugor or Huttah, with which I compared them. The reduction of the present high nominal jumma to an amount which can on an average of years be collected, is an indispensable preliminary to the introduction of a successful system of administration. No improvement can take place while that incubus remains.

The next step is to introduce leases of sufficient length, to give the renters an interest in improving their lands by the outlay of capital, and to induce them to abstain from wasting the powers of the soil by incessant over-cropping, and to restore those powers by irrigation, manure, and fallow.

The third is to allow the cultivators and renters to make their own arrangements for lands and rents, recording the same as is now done in the provinces, so that the observance of contracts may be enforced.

The fourth is to lay down a few broad rules for the due administration of the different departments, so as to secure a general uniformity of administration through the whole territory, instead of as at present, each district being managed according to the particular fancy of the officer in charge, and the whole territory at the mere discretion of the Commissioner.

The fifth is to divide the whole territory into a smaller number of districts, each to be placed under a sufficient but not excessive European and native establishment, on a proper system of subordination, instead of the whole being parcelled out into a number of petty principalities, under the uncontrolled, or at best very imperfectly controlled administration of a single and often very inexperienced officer, and to have one superintendent over the whole in communication with the Sudder Nizamut Adawlut and Sudder Board, as in other divisions.

To begin with the territorial division, the extent of the territory will not, in my opinion, admit of its being divided into a smaller number than three districts.

1. Saugor, to comprise the three districts of Saugor, Rehlee, and Hutta.

2. Jubbulpoor, to comprise the two districts of Jubbulpoor and Seonee.

3. Nursingpoor, to comprise the three districts of Hoshungabad, Nursingpoor, and Baitool.

The Jummas and collections of the districts, as above arranged, are given in the margin on an average of the past five years. It is true that these will be still very small revenue charges, the average collections of the whole territory not exceeding those of the single district of Cawnpore. But after the most careful consideration, I feel assured that the division of the territory into a smaller number of districts could not be made with advantage. The great territorial extent, the uncentrical position of the two stations of Jubbulpoor and Saugor, the impossibility of finding healthy sites for new stations, and the inconvenient geographical arrangement of the whole territory furnish, in my mind, insuperable objections to such a measure.

	Jummas.	Collections.
	Rs.	*Rs.*
Saugor - - -	5,17,095	4,27,784
Rehlee, Hutta, Dumoh	5,38,749	4,01,190
Rs.	10,55,894	8,28,974
Jubbulpoor - -	5,55,215	4,52,684
Seonee - - -	2,16,652	1,88,551
Rs.	7,71,867	6,41,235
Hoshungabad - -	2,30,504	1,87,406
Nursingpoor - -	4,09,810	3,64,635
Baitool - - -	2,01,373	1,61,520
Rs.	8,41,686	7,31,561

The head station of the Saugor and Dumoh district will, of course, be at Saugor, and that of Jubbulpoor and Seonee at Jubbulpoor. I find it less easy to determine on a site for the head station of the third district. Nursingpoor possesses no advantages as a station, nor are there any public buildings there, and its remoteness from the western frontier and position just in the third angle of the triangle comprising the proposed district, preclude its selection as the station. Hoshungabad, on the other hand, is too much in the opposite direction

to be altogether unobjectionable. The best informed persons appear to consider the plain of Sobapoor north of the fort of Sohangpoor, and lying along the banks of the Nerbudda, from Bhutgaon on the west towards old Gurhwara, as the best site for a station; and in position that spot appears unobjectionable, and is stated to be healthy. There is, however, a good Government House at Hoshungabad, and a flourishing and increasing town, and the situation is decidedly for those territories a salubrious one, and perhaps Government may be disposed for the present at least to make Hoshungabad the head station.

It will be necessary, on account of their distance and inaccessibility during many months in the year by reason of the extreme unhealthiness of the intervening tracts, to make careful provision for carrying on business at the two dependent posts of Seonee and Baitool, and I propose to do so by having a good Native deputy collector at each, to have the powers also of a junior assistant in Foujdaree business.

It will be the business of the district officer to depute an assistant or deputy there at a proper time of the year, and see how matters go on, and occasionally to proceed there himself for the same purpose, and the Commissioner must see that due supervision is exercised.

I shall postpone the detail of establishments until I have completed the development of any plan of administration. 1st Revenue: It is admitted on all hands, both by the European officers and the natives, that with the exception of a part of the district of Hutta, there exists no proprietary right in Malgoozaree lands in any part of the territory. The potails were considered by the Mahratta Government as farmers with whom the Government made its bargain; they, on the other hand, making their own arrangement with the cultivators, who were left entirely in their hands. The class called wuttundar potails are stated to have been farmers to whom the villages had been re-let for two or more generations, but who were liable to be set aside for recusance, or default of payment, without any right of re-entry. Mr. Malony is stated to have produced an injurious effect by searching for those wuttundars, in order to restore them on the occurrence of a settlement to the displacing of better men who were the actual possessors. This is, however, now passed, and is of little moment except to show that we may safely conclude our arrangements with those found in possession, and may unhesitatingly pursue the course which may be deemed most conducive to the general interests of the Governors and the governed, without fear of infringing private rights.

The first step is the formation of a moderate settlement for a long term of years. This is absolutely necessary to give all concerned an interest in improving the land. In few of the districts through which I passed is there much culturable waste, and where there is, fertile waste may be obtained so much more cheaply in neighbouring foreign territory, or the obstacles to extension of cultivation arising from unhealthiness of climate and other causes are so great that the expectation of obtaining any increase of revenue from newly cultivated area by frequent settlements at short periods must be futile. It is clear that the interest of a mere farmer, holding for a short term, is to get as much out of the land during that as possible, and to lay out as little as possible upon it. This explains both the conduct of the agriculturists of that territory for a long past period, and the reason for it, and affords a satisfactory explanation of what the Saugor authorities so much dwell on, and appear to consider a natural and inevitable necessity, viz.:—the exhaustion of the soil after having been a few years under crop. The farmers had no assurance of continuance and no confidence in their own former Government, nor have they any in ours. To make it the interest of the parties to improve rather than exhaust the soil, will at once correct those evils. Opinions in conformity with what has been said both as to the expedience of a long lease and the reasons for it were expressed to me both by natives of respectability and talent in private conversation, and also by large numbers of Potails assembled at the stations by the district officers for the purpose of making known their condition, and suggesting and discussing remedies for their difficulties.

I propose, then, as the first measure, that a settlement of the whole territory be made at such a jumma as the local officers may show to be fair and equal for 20 years.

The reduction of the present nominal jumma will not, as far as I can learn from the district officers, exceed 12 per cent., and the revenue may then be regularly collected, whereas the deficiency on the average collections of the past exceeds 18 per cent.

2nd. That the settlement be made with potails in possession, that parties engaging be not liable to be removed during the term of the settlement except for default, and that assurance be given of renewal of the lease on such terms as may then be agreed upon on condition of good management, and that, for cancelling an existing lease or displacing a potail on a new settlement, the sanction of the Sudder Board be necessary.

3rd. That the lessees be allowed to make their own terms with the ryots, furnishing a jumabundee for record, as is now done in the provinces, and filing a fresh jumabundee yearly or whenever any change in the conditions on which the ryots cultivate be made, on pain of being cast in any suit for rent in which the sum demanded may exceed the rate of the jumabundee last recorded.

4th. That the standing crops and personal property of cultivators, except cattle and

implements of husbandry and seed grain, may be distrained for arrears of rent by the potail, and that an unsatisfied decree for arrears of rent entitle a potail to remove the ryot and dispose of his fields at pleasure, and that all property without exception be liable to sale in execution of decrees for rent.

5th. That potails be permitted to dispose of the terms of their lease with consent of the collector, but not to underlet. It frequently happens that a potail having got into embarrassed circumstances desires to transfer his lease to a banker who would free him from his difficulties on consideration of such transfer, and would be as good a tenant to Government as the potail whom he succeeds, and into whose agreement he would enter. At present there is no rule on this subject, and the practice differs in different districts; I can perceive no objection to the permission.

I would, however, prohibit sub-letting as the great bane to agricultural prosperity. The natives have always a tendency to it. It quarters a swarm of annuitants on the land till no surplus is left to the actual manager, either for accumulation as capital, or outlay for improvement, and always leads to distressing the ryots and ruining the mouza. Now, as it ought to be the first object of Government, and is doubtless the second, to effect improvement and increase surplus produce, and there are no vested rights to prevent interference, I would make the abstinence from sub-letting a part of the contract.

6th. The tehseeldar should be allowed to aid distraint and sell distrained goods on application for arrears of rent between potail and cultivator, much under the same rules, which are simple and good as in the provinces. They should also be allowed a limited power of issuing dustuks for arrears of revenue. But they should not be allowed to set aside or control the management of the potail without the orders of the district officer, and they should be strictly prohibited from all interference with the interior arrangements of the village as regards the course of crops, the distribution of lands, the mode of payment, the enforcement or remission of demands of rent or interest, the supply of advances of money, food, or seed, and in short all the other details of daily occurrence with which they have been accustomed very injuriously to intermeddle.

7th. Both tehseeldars and district officers should be strictly prohibited from interfering in their revenue capacity with private money or banking transactions, or in any way fixing or limiting the amount of profit or interest, or the market rate of money or grain. The degree to which the mischievous mistake of interference in these respects has been carried by every officer at his own mere pleasure, is scarcely credible, and the tendency to persevere in the practice on the erroneous notion of protecting the poor, is as strong as ever, and will yield to nothing but direct and positive prohibition. I have already referred to some instances as seizing and distributing seed grain, fixing the price of grain both for food and seed; prohibiting exportation; obliging capitalists to surrender their profits on receipt of the principal, on the notion of an equitable adjustment; obliging capitalists to make advances to insolvent cultivators; fixing rates of interest, &c.* The complaints of the bankers and merchants on these points were loud and universal, and the effect in driving capital away from the land may be found stated in all the reports of the local officers, though it has been attributed by them to other causes than their own system. I mean distinctly to include under this prohibition the fixing a maximum of interest or money; the rate of interest runs in those territories according to the risk, as high as 30 and 35 per cent., but the authorities there have transplanted from the provinces (leaving many matters far more worth taking) the rule of not allowing more than 12 per cent. It is well known that in the provinces the rate of interest varies from six to 35 per cent., according to the nature of the transaction, the security obtainable, and credit and condition of the borrower. Why we should interfere with the terms on which a man is willing to part with his money more than with those on which he will part with his cloth or corn, is not easy to say. We cannot prevent men from demanding a return proportionate to the risk and trouble of recovery, and our interference finishes by superadding a fictitious risk to the natural one, and making the unfortunate borrower pay for the additional peril of detection and fear of the debtor taking shelter under the law. In the provinces this rule has led to a system of frauds of making deductions from the principal, and other demoralising devices, and it is certainly much better not to introduce the rule where it does not now exist.

8th. It should be distinctly explained to the people, and the declaration should be steadily acted on, that the jumma which is to be agreed to is to be collected without remission, and no remissions should be allowed except in cases altogether beyond the rule of ordinary calculation. The present system of uncertainty is profitable to none but the farmers

* Quite lately an officer, of considerable standing and experience in the Saugor Territories, in an official paper, after stating that money was lent at 25 to 30 per cent. per annum, and that though he prevented this whenever it came before him, yet the practice continued, because in the majority of instances it did not come to his knowledge, gravely proposed the insertion of a clause in all leases of forfeiture, in case of proof of a farmer lending money to the cultivators at a higher interest than 12 per cent.

farmers and Amlah. Universally I was told that the cultivators obtained no relief, and the very uncertainty produces habits of carelessness, improvidence, and profligacy.

The adoption of the above few and simple principles, will, I believe, be sufficient to work a great reformation so far as the revenue is concerned. The only district in which any variation may be necessary is that of Hutta. In the Hutta district the Bundelkund system of village management prevailed under Chuttersall, and though the Mahratta Government did not acknowledge it, but placed the mehal under farmers, the people kept up their system, and made their own arrangements with the farmer. In the settlement made by Mr. Evelyn Gordon (on which occasion that gentleman judiciously availed himself of the assistance and advice of the ablest and most respectable inhabitants, and especially of some very intelligent persons who were members of the Mahratta Revenue Cutcherry), these interior arrangements were left untouched. The revenue was fixed too high, both that gentleman and most of his advisers having fallen into the universal error of expecting the existing high prices to continue, but by the help of a remarkable succession of favourable seasons, it stood while he remained, being continued under the management of those who assisted him in forming it. On his removal other councils prevailed, and his coadjutors were displaced to make way for adventurers from the provinces, and the reign of interference commenced and has gone on increasing till the departure of Captain Crawford. By this interference in details the village system was broken down and destroyed, and Hutta is now, perhaps, the district which it will require the most skilful management to restore. The officer now in charge, Mr. Loughnan, is a very intelligent young man, and fully aware of the evils of attempting too minute a superintendence. The modification of the general plan which, after hearing the opinions of the old Mahratta officers and other principal persons, and much discussion, verbally and in writing, that gentleman concurred with me in selecting as the most hopeful, is now to be stated. We proposed that where a village community exists and is willing to engage as a community, through an agent or agents chosen by themselves, for the jumma agreed on, the lease should be granted to the community on penalty of annulment in case of default. That where the community could not make their own arrangements to engage, the mouzah should be farmed in the usual manner, leaving it to the farmer to make his bargain with the cultivators, either as individuals or as a body, with the proviso that, until the compact with the farmer should be completed, no one should be entitled to cultivate where the mouzah should be leased to the community, and they should not fulfil their engagements, the district officer should be at liberty, with the sanction of the Commissioner and the Board to annul the lease, and relet the mouzah to a farmer for the remainder of the term, on the same footing as if it had been leased to a farmer originally. This course I beg to recommend for the adoption of the Board and of Government.

In most of the districts of the territory there are wild, hill, and forest tracts, still inhabited and possessed by the original Gonds under chiefs of their own. These tracts have in most cases, and should always be, let on long leases, and on very low terms to the chiefs themselves, or to some person who is acceptable to the local chief. No attempt at mouzahwar administration should be made in those tracts in which the habits of the people and the methods of cultivation are alike barbarous, and their arrangements peculiar to themselves. On the occurrence of sickness, fire, or other casual calamity, the population will often entirely desert their village, and betake themselves to new seats, or disperse themselves amongst their neighbours. The jumma of these properties has been and should be so low as to be always paid without pressure. It should, in fact, be rather looked on as an acknowledgment of fealty than a source of profit. The local officers are well aware of the fit mode of dealing with those cases, and no particular instructions are required regarding them.

Police.—The system of police in the Saugor and Nerbudda territories stands in need of no alteration. It is managed through the tehseeldars, potails, and village watch, and meets with more co-operation on the part of the people in general than is usual in the provinces. Great crimes appear to be rare, and all the district officers stated that it was a point of honour with the potails to trace and deliver up to justice any person charged with crime. The police of the towns is managed in the usual and only way by a kotwal, and detached chowkees are established where any particular circumstances call for such a step. The population are a peaceful and easily managed race, and I do not recollect in so long a tour to have met a single private individual carrying arms. This was the more striking as it is so much the habit of travellers in Hindoostan to go armed to the teeth.

There is one matter connected with the police functions of the district officers which I consider very objectionable, and of which I think it desirable that Government should express disapprobation; I allude to the practice of founding bazaars to bear the name of the officer in charge of the district. It is a compliment which natives of wealth are fond of paying to a magistrate, and seems a harmless thing enough, but it is not done without a further object, and leads to prejudicial results. I found at Hutta a bazaar lately established called Caraputgunge, which is the misnomer by which the people designate their late superintendent, Captain Crawford. The Custom House had been made in that bazaar, the sealed weights had all been taken there, and the people complained that all merchandize was carried there, and that in fact people were not allowed to buy and sell anywhere

anywhere else, and all this for the profit of the darogah of customs, who had built the bazaar, and obtained Crawford's leave to call it by his name.* I do not suppose Captain Crawford was aware of the use that was made of his permission. Of course the more bazaars there are built the better, but I consider it expedient that they should not be called by the name of the officer in charge of the district.

Criminal Justice.

In the Criminal Judicial Department the only amendments required are to make the system uniform throughout all the districts, to enlarge in some degree the powers of the district officers, and to give original jurisdiction to native officers in certain cases, as in Baitool and Seonee more particularly.

The Criminal Regulations of the provinces are already in force virtually in these territories, and Mr. F. C. Smith has had much experience both as a magistrate and as a sessions or, rather, as a circuit judge, and this department bears more marks of a definite control and well-arranged system than any other. In one respect a modification appears to be required; the state of the climate is not such as to admit of the Commissioner visiting the districts, except during the cold weather. Consequently, in all cases reserved for trial before the Commissioner in person, either the prisoner must remain in jail from the time of his apprehension to the next cold weather, or the parties must be sent at an unhealthy time of the year, to their great expense and inconvenience and no small risk, to the station at which the Commissioner is residing. It is therefore desirable to give as large an authority in trying criminal cases to the district authority, under proper check, as can consist with safety.

The district officers already exercise the powers possessed by magistrates in the provinces of inflicting imprisonment for two years. I think if the sudder ameen, the tehseeldar of the sudder station, the British officer of the next grade whom I have called superintendent, the moonsiff of the sudder station, and any respectable private individuals, European or Native, whose attendance could be obtained, not exceeding four in all, were to sit as assessors and record their opinions, the district officers might be allowed to sentence to imprisonment as far as seven years, sending the papers of the case only to the Commissioner, for his revision.

This would leave very few cases which would require to be tried before the Commissioner in person, would, in my opinion, be unobjectionable in itself, and would give general relief to all concerned. This would also do away with the necessity for a practice, in itself objectionable, which I presume has arisen out of the inconvenience, obvious to all, of detaining prisoners so long in confinement before trial. The practice I allude to is that the district officers, after inquiring into the case, instead of committing the prisoner for trial or releasing him on their own judgment, appear to be in the habit of forwarding the papers in that state to the Commissioner for his opinion. Thus the Commissioner has to decide on the previous investigation as well as on the ultimate event of the trial. The powers of original jurisdiction in all cases, acquittal and release where sufficient proof is not adduced, and of imprisonment for the term of two years on conviction, should be given to the deputy-collectors of Baitool and Seonee. They should always call in the moonsiff to sit with them, who should record his opinion, and any other two private individuals of respectability who might be obtainable. In all cases of felony, or requiring more than two years' imprisonment, the prisoners and parties should be sent, when the season admits, to the sudder station, or retained for the arrival of the superintendent of the district or his deputy. Every case thus retained should be reported within two days o the order being passed, and the papers produced, and weekly returns should be made to the district officer of all sentences and acquittals. It will be seen by a subsequent statement that the cases calling for a heavier punishment than two years' imprisonment are very few in number.

The crimes of—1st, wilful murder; 2d, rape; 3d, decoity with murder or severe wounding; 4th, highway robbery, burglary, or theft with murder or severe wounding; 5th, poisoning; 6th, coining—should be reserved for the Commissioner, to be tried by him at his yearly circuit. Any case submitted to him for revision, in which he should deem the punishment of seven years' imprisonment insufficient, he might also direct to be brought for trial before him at his circuit; because, the prisoner's guilt having been proved, there would be no objection to his being detained in jail, and the intervening period between the first trial before the district officer and assessors and his final trial before the Commissioner might be allowed him in his sentence. One other evil arising out of the unhealthiness of these districts might also be thus avoided, which is, that of criminals reserved for trial before the Commissioner escaping by the death of prosecutors and witnesses during the period intervening between the committal and trial of the prisoner. The cases

* That very intelligent and active officer Captain Sleeman has obtained a similar sort of immortality in another department, coupling the well-known erroneous pronunciation of his name with one of the most romantic of native traditionary superstitions of the cave in which the son of David enclosed the refractory genii; they call the jail in which the things are incarcerated "Sulaman ka Pinjeirah,"—the cage of Solomon.

cases reserved would be so few that the chances of the default of justice from this cause would be greatly lessened.

Year.	Prisoners.	Exceeding Seven Years.	Above Two and less than Seven Years.	Less than Two Years.	Remarks.
		Prisoners.			78 divided by 3 gives 26 Prisoners per annum, or little above 2 per mensem to each district, which would not long detain the Court from other duty: $11\frac{3}{4} = 39\frac{3}{4}$ rds. for each district per annum, or something more than 3 per mensem.
1832	1,428	11	78	1,330	
1833	1,773	24	119	1,630	

As I have been able to ascertain from such returns as I could procure—those which I obtained on the spot, and those which I was obligingly furnished with from the office of the Nizamut Adawlut, being all in some degree incorrect—the number of persons punished for crimes and offences by the district officers and Commissioner of the territories in the two last years have been as per margin, which shows that in the former year there were only 11, and in the latter only 24 prisoners, who would on the plan proposed be in jail without trial till the Commissioner's arrival. There were, in addition, 14 prisoners in the former, and 52 in the latter year, whose cases were referred to the Nizamut Adawlut, making altogether 25 prisoners in the former, and 76 in the latter year, who must have awaited the Commissioner's yearly circuit. But there were in the former year 214 prisoners, and in the latter year 281 prisoners committed to take their trial before the Commissioner; 169 of whom in the former, and 205 in the latter year might have been spared the delay in question: and as 111 prisoners in the former, and 75 in the latter, of those committed were discharged on acquittal, it would have been highly desirable to save that number of innocent persons a year's uneasiness and confinement in an unhealthy country.

The rule above indicated with respect to the class of crimes to be invariably brought before the Commissioner gives the number stated below for the years in question:—

Years.	Wilful Murder.	Poisoning.	Rate.	Dacoity with Murder or Severe Wounding.	Highway Robbery with Murder or Severe Wounding.	Burglary, or Theft, with Murder or Severe Wounding.	Coining.	Wounding with Intent to Kill.	Total.
1832	8	2	2	8	- -	- -	1	- -	21
1833	40 *	- -	7	6	7	4	- -	- -	64

* Thirty-one of these are old cases. I have obtained an analysis of this very heavy list, which gives as follows:—

Improperly committed	6
Infanticide by parents through distress	2
Motives unknown	1
For gain	15
Poisoning for revenge	1
In drunkenness	2
On a charge of witchery	1
Jealousy	11

The number is, I believe, much beyond the average, but there are no records previous to 1832 obtainable.

Civil Judicial.

For civil judicial administration there is an excellent foundation in the establishment of Pergunnah Courts, a plan first conceived and matured by Captain Sleeman, but pruned of some redundancies, and finally recommended to the adoption of Government by Mr. Smith the Commissioner, and promulgated in the territories in the end of 1831. The immediate decrease of suits in the courts of the district officers evidences how acceptable the system was to the people. The general principle is very similar to that which has been adopted in the western provinces for settling disputes concerning boundaries, and it is, doubtless, calculated to be of the greatest benefit to the people. In practice, however, a good deal of disappointment has been experienced, which appears to arise from two causes: 1st, that these courts have been placed under the superintendence of the tehseeldars; 2dly, that they are not allowed to execute their own decrees. I should have observed that the district officers generally (I am not quite sure if universally) objected to the superintendence of the tehseeldars, for another reason. They stated that the tehseeldars were very apt to transfer the duty to a mootsuddee of no weight, responsibility, or credit, of whose

whose acts the people generally were suspicious, and that none of the tehseeldars could spare time from their proper duties to preside in these courts. The people objected, for different reasons. They said that either in the hands of the tehseeldar, or any of his subordinate umlahs, the same minute interference, under the notion of providing for the security of the public revenue, was exercised in the administration of justice between man and man as in all other departments. For instance, if a cultivator were sued for a debt, the first matter which would occupy the attention of the tehseeldar would be in what way the rent to be paid by the defendant, and consequently the revenue derivable on his cultivation, would be affected by the result of the suit. Will his field be untilled? Will he find any difficulty in purchasing seed? Is there any probability of his being obliged to dispose of his oxen, &c.? If he fears any such result, the decision will be put off, or the claim, without regard to its justice, disallowed or reduced. I regret to say that it is not only against the tehseeldars that his complaint was laid. The proceedings and orders of the district officers are stated to be influenced by this imaginary expediency, and necessity for securing the Government revenue at any rate, which leads to a direct denial of justice.

I can hardly help feeling that this statement may seem to be exaggerated; but when I refer to my notes, and see how very generally it was brought forward on the first opportunity by all the capitalists at all the stations, and that even the European officers, when questioned on the subject, though none of them admitted it to be his own practice, admitted that the practice had prevailed, and some palliated it on the ground of consideration for the poor debtors, I feel that I should have failed in my duty if I had not stated my conviction of its general though, perhaps, not universal prevalence. It is a very great evil, and must effectually destroy all faith in compacts, and all credit, and must greatly depress enterprise and check the improvement of capital; and no time should be lost in its removal. The capitalists stated that before the British accession they could always enforce their full demand from a debtor who had the power of payment, and obtain in other cases the best terms which the debtor could afford by means of private duress, and that if the debtor were a farmer or cultivator, they were at liberty to seize his property or crop, on condition of being responsible to the State and its officers for the revenue due from him. In the present time such acts are prohibited and considered contempts of court; and as the fulfilment of contracts is neither enforced by the Government, nor are they permitted to follow their own modes of redress, they have much withdrawn their capital from the land, in which particular department of their transactions the evil of the prevailing practice is chiefly felt. They complain also that more difficulty is felt in executing a decree than in obtaining one; that as the pergunnah courts, and even the sudder ameens, are not allowed to execute their own decrees, creditors are obliged to follow the district officer, wherever he may be, to obtain an order from him; that he is often too much occupied with other concerns to attend to them, and that when they have at length obtained an order, there is the same reference to be made to the possible effect of its execution on the revenue of the year as was experienced at the first hearing. This is the more complained of because the institution-fee which is now levied in the territories is taken on the demand. Yet, when thus paid for and established, it is not decreed or not executed if it is supposed Government will be a collateral loser by the event.

I do not think the district offices of the Saugor and Nerbudda territories well constituted for courts of civil justice. They are too much places of all-work. Their other duties, if not more important, are more urgent, and this is the department which, with least of obvious and present inconvenience, though not least of moral and social evil, can be postponed and neglected. Considering the complaints made against the pergunnah courts, they would necessarily have been abandoned instead of having drawn to themselves the greater part of the business if suitors could have hoped for better things elsewhere. For the administration of civil justice a fixed local resort known to all suitors, constant sittings, and a facility of reference to precedents and records are essential, and to preside in a court requires some training. There should be a habit of weighing evidence and balancing probabilities, readiness in the application of general principles, and a preparedness of mind which is the fruit of daily practice, and never can be obtained by only looking into a case occasionally.

I judge therefore that men otherwise inferior, if constantly employed in that duty, could make much better judges than those who can give so little time and thought to the subject; and I would propose that the courts of civil justice in Saugor should be entirely disunited from the offices of the district officers, and placed under separate superintendence.

Pergunnah Courts.

The pergunnah courts should be placed under the superintendence of a moonsiff, of whom one should be appointed in each tehseeldaree division, to hold his court in the same town as the tehseeldar's cutcherry, and who should have a salary of not less than 200 rupees a month, including establishment, and should not be removable without the consent of the Sudder Dewany Adawlut. His court should have power to receive and try all suits as far as 1,000 rupees, and to execute the decrees made, unless execution be suspended by order of a superior court by reason of an appeal having been admitted.

The only modification I would make in the present rules for pergunnah courts is, that no appeal should be admitted except for cause to be shown.

For hearing appeals from the moonsiff and pergunnah courts, I would appoint a sudder ameen in each district, on a salary of 400 rupees a month, including establishment.

The sudder ameen should hold his court at the sudder station of the district. He should receive, try, and decide all original cases from 1,000 rupees to 2,500 rupees, and all petitions for appeal from the decisions of the pergunnah court should be presented to him; and he should decide on the admission or rejection of appeals in a way similar to that

described in Clause 3, Section 16, Regulation V. of 1831, and whether the decree of the lower court should be executed, or execution suspended pending appeal, and in either case if security should be taken, and from whom, and to what amount.

The moonsiffs should execute their own decrees, after the time allowed for lodging an appeal has elapsed; and the sudder ameen should send immediate notice of the admission or rejection of every appeal applied for, and direct whether the moonsiff shall execute his own decree, or delay execution till the appeal shall have been directed, and what security shall be taken, and from whom, for the fulfilment of the final decision.

A moonsiff of a higher class will be required to reside at Baitool, and one at Seonee. The extreme unhealthiness of the intervening country during a large part of the year, and the consequent greater difficulty of appealing, renders it expedient to have as good an officer to preside over the court of first instance as can be obtained, and the duty of sitting on criminal trials with the deputy-collector will also require a good officer for the satisfactory fulfilment. I would have proposed sudder ameens, but they would not find occupation.

For hearing appeals from the sudder ameens, a principal sudder ameen, or native judge, should be appointed, on a salary of not less than 700 rupees, to reside at the station of the Commissioner. This officer should receive, hear, and decide all cases from the value of 2,500 rupees up to 10,000 rupees. He should also receive and decide upon all applications of appeal from the sudder ameens, on the same principle as the sudder ameens dispose of appeals from the moonsiffs.

Appeals should lie from the Principal Sudder Ameen to the Commissioner alone, and only for special cause assigned. The district officers should not be allowed to interfere in any way with the institution, trial, or execution of civil suits, but of course they will be at liberty to communicate to the Commissioner any information they may obtain regarding the conduct of the sudder ameens and moonsiffs attached to their districts; and the Commissioner will be at all times able to make through them any inquiries he may desire, and the knowledge of the existence of this sort of supervision will have the best effect on the persons exercising judicial powers. No district officer should, however, be allowed to entertain criminal charges against a moonsiff or sudder ameen, for any act connected with his office, unless authorised and directed so to do by the Commissioner.

All suits for an amount above 10,000 rupees must, of course, be heard by the Commissioner, but I apprehend there will be very few even so high as 2,500 rupees.

As there is no property in land, there are of course no suits concerning land in the territories, and the whole of those complicated and difficult causes which occupy so greatly the time of the courts in the provinces, and the due decision of which is found so difficult, are unknown. I do not, therefore, anticipate any peril of the officers chosen proving unequal to the duty to be performed. Of course these appointments should be open to men of every creed, colour, and nation, the only object being to obtain those who are best qualified and most to be trusted.

It remains to say a few words respecting the execution of decrees. All property should be allowed to be taken and sold in execution of decrees, except that in case of caption of crops on the ground or grain grown within the year, the creditor seizing such should be bound, in the first instance, to pay or satisfy the landlord for the rent due to him on account of the year by the defendant, the rent of land being in all countries the first lien upon the crop, whether standing or reaped.

Imprisonment of the person should be allowed by way of duress, on the application of plaintiff, if plaintiff lodge a sufficient sum, month by month, in advance for the subsistence of defendant according to his rank in life; but no debtor should be in jail more than six months for a sum under 100 rupees, unless the plaintiff prove within that time that he has fraudulently concealed or transferred property since suit brought. Any debtor, to any amount, should be allowed to obtain his release after having been six months in jail, on furnishing the court with a schedule of his whole property, and surrendering the same, unless the plaintiff can prove, within a reasonable period to be fixed by the court, that he has fraudulently concealed or made away with any part.

It seems to me that the great matter wanting to bring the Saugor and Nerbudda territories into a prosperous state after fixing a moderate government revenue, and having the people to manage their own affairs, is a strict and speedy enforcement of contracts by judicial process, and that abundant capital will be found when that great object is once provided for.

Customs. In the matter of Customs I have but few words to say. The people are a great deal harassed. There are too many custom-houses, and duties are taken on multitudes of articles which bring very little into the treasury. The best-informed officers are of opinion that one good line north and south through Saugor to the Nerbudda, and another east and west on the banks of the Nerbudda, with a custom-house at Saugor, one at Jubbulpoor, and one at Hoshungabad, would obtain as much duty as is now gained at less expense and with less annoyance. The Nerbudda is admirably fitted for a customs line. There are no boats, or next to none, and the river consists of deep unfordable reaches terminated by rocky shallows, which form the fords, so that a post at each shallow (and they are not very numerous) will always prevent smuggling. As far as I could learn, there are but three lines of trade. One east and west, the whole of which, as far as it passes the territory at all, passes through Saugor itself. The country is too broken to admit of much deviation from the known tracts. The other two come from the southward: the one passes through Ellichpoor or Baitool to Bhopal, and the north west; the other from the same direction through Jubbulpoor towards Rewah and Mirzapoor. The former

former of these streams is brought under contribution at Hoshungabad, the latter at Jubbulpoor.

Great complaints are made against the town duties. Both the people and the public officers say that they were originally established on a distinct understanding that the produce should be applied to purposes of local convenience, but that they have since been seized on by Government. As there appears to be no question as to the understanding on which they were first established, I strongly recommend that they should be given up for the sake of public faith.

I have entered less into detail respecting the department of customs, both because it was not particularly pointed out to my notice, and because the faults which prevail in this department at Saugor are only the common vices of our custom department throughout the provinces.

I trust that the whole will undergo general reformation, and that the territories on which I am reporting will come in for their share of the benefit.

There remain a few questions which I have kept separate, because, though of great importance in themselves, they are not properly connected with any of the above departments. The first of these is the Thug police. The benefits and blessings to all India which have resulted from this establishment, skilfully and admirably directed as it is by that very able officer Captain Sleeman, are too obvious to be dwelt on. So far, however, from having any near prospect of affecting the suppression of this fearful crime, every new case, and almost every passing week, develops ramifications more extensive and proofs of its prevalence in quarters hitherto unknown. Government must, therefore, reckon on having to maintain an effective establishment for this special purpose for many years to come; and it highly behoves the British Government, as the civilised and paramount power, so to organise their arrangements with this view, as to be able firmly and constantly to maintain the contest with this veritable enemy of the human race until he be entirely stricken down and destroyed.

Captain Sleeman's great experience, and the influence of his name over the minds of the members of this singular community of atrocity, point him out at once as the proper head of such an establishment. A better assistant than Mr. Wilson could not, I believe, be found. Captain Sleeman speaks in almost equally high terms of Mr. M'Leod. Supposing Captain Sleeman to be made the Superintendent of this establishment, Mr. Wilson to be appointed Deputy-Superintendent for the charge of the provinces from Oude to Hurreanah, and Mr. M'Leod a second deputy for Soba Malwa, the whole of Upper and Central India would be well provided for. A third deputy should be appointed for the Bombay side of the Peninsula, including Goojerat. While I was at Saugor letters arrived from Ameenabad, stating the number of persons who had disappeared and the number of bodies which had been found in that quarter, and an intelligent officer to act in that direction under the instructions of Captain Sleeman and in communication with Mr. M'Leod is very desirable. Nagpore is within Captain Sleeman's own range, and with respect to Hyderabad and Poona he would arrange, of course, with his Bombay deputy. Everywhere he would have the aid of the Political British Officers. It is clear, however, that whether or not this establishment be considered as connected with Saugor, the duty on which they are employed being one involving the welfare of the whole of India, the expense ought not to be set down to the account of the Saugor and Nerbudda territories, and I shall, therefore, omit it in my proposed establishment. It should also be observed that the officers selected should not be allowed in any respect to be losers by their being selected to discharge a very important, but highly painful, disagreeable, and laborious duty.

I found a European officer also borne on the Saugor and Nerbudda establishment in charge of the little State of Oocheyra. It is, I believe, highly desirable that during the minority of the young prince, the tract should be under the charge of a British officer, but his salary should be defrayed from the revenues of the principality over which he presides.

It seemed the general opinion that any arrangements by which Baitool should be given up, and a clear frontier line obtained from Seonee-Chuppra to the south-west limit of Hoshungabad, would be very desirable. I was informed that some negociation with Nagpore had been set on foot, but abandoned. In a fiscal view Baitool is of no value; it does not pay the cost of its own management and defence. I was told that it is equally valueless in a political view. If so, considering its remoteness, inaccessibility, and unhealthiness, I should think its abandonment preferable to its retention.

Great complaints were made by the people in all quarters against an unnecessary, and in my opinion, very unwise measure, introduced by the officers first placed in charge of the territory, and still continued. I mean the use of the Persian language in all official business. None of the people, even the best educated and most respectable, understand Persian. The consequences are that all offices are filled by people from the provinces, to the entire exclusion of the natives of the territory; and though there are some very valuable men among these foreigners, the majority are very inferior—in fact, mere adventurers. I saw men lording it over the wealthiest merchants and most respectable ex-officers of the Mahratta rule who would hardly have obtained a situation of 15 rupees a month in any district of the provinces.

The effect of this mistake—and it is an effect which must be obvious to a very careless observer—has been to deprive our officers of the aid of all those who were best acquainted with the country and people, and had most influence over them, and to disgust most of those whose goodwill was worth the possessing. Another effect has been—and it is rather a ludicrous one—that while a general outcry is raised by all the British officers against the regulations of Government applicable to the provinces, which no one of them has read a

word of; and while all the spirit of the regulations and all that is really valuable in them is unknown, the jargon of the Cutcherry is in as full operation as in any office of the provinces. I believe the sole reason for the introduction of this unknown tongue was that Mr. Malony * happened never to have been out of Calcutta, and was quite unacquainted with the conduct of an up-country office, and therefore of pure necessity he was obliged to obtain from his friends some practised officers in the different departments, who were allowed to make their own arrangements and introduce their own official language. It would, I am convinced, be a great blessing, and accepted by the people as a great favour, if Government would abolish the use of Persian, and allow all records which are not made in English to be made in the language of the country. I have referred much in this respect to my communication with the people; I therefore beg to take this opportunity of explaining that a very pure Hindoostanee is spoken throughout the territories, or at least, all that part of them which I visited; and that from the highest officer to the lowest peasant, I never found the slightest difficulty in communicating with any. This was not known to me before I went down, and is not, I believe, known to many others; but it would greatly facilitate the getting rid of Persian. The native writings shown to me were in Devanagree; of course the merchants used Mahratta.

I have only to add that I met with the most willing assistance from all the district officers in pursuing my researches. I was so fortunate as to find Captain J. Johnson at Nagoud, who obligingly gave me such an insight into the circumstances of the different districts, and such information regarding men and things, that I had thenceforth no difficulty in determining in what direction to prosecute my inquiries, nor doubt as to the persons who could furnish me with a clue to direct my perquisitions. I was only particularly gratified with the assistance afforded me by Mr. Loughnan, and the candour with which he laid open all the *arcana* of his office to my inspection, although he was aware from the tone of our conversation that there were many things of which I should not approve.

I have already stated that I did not see the Commissioner, and I was therefore unable to refer either to himself or to his office on any of the subjects on which I have had to speak. Mr. Smith did not, I believe, desire any communication with me. He has been avowedly dissatisfied with the arrangement which placed the revenue concerns of his division under the superintendence of the Board, and desires, I believe, to be removed to some other situation.

I have, therefore, the less hesitation in expressing an opinion, which I must at all events have given, that there is nothing in the administration of the territory to require so expensive a machinery for its superintendence. It may, in my opinion, be safely and expediently put on the footing of any other division, and in the establishment which I am now to propose, I have set down the Commissioner at the usual scale of allowances.

It is desirable that the Commissioner be a man of sound judgment, regular habits of business, and of some experience in the management of an office in all the departments placed under his charge. It is probable that the appointment will not be much sought on reduced allowance, and that Government may have to select from men of lower standing than are generally taken for appointments of that class.

Such a circumstance I should rather consider as an advantage than otherwise; the person chosen would probably come with all his energies to the duty, be likely to hold the appointment for a considerable time, which would enable him to train up a school of officers, and put the whole course of management into a state of regularity and order, from which at present it is certainly very remote.

It will be observed that I have made the Jubbulpoor European establishment lower, and the Native proportionably higher than the other districts. The duty of the second European officer I consider comparatively light. The nature of the country is such as to require a greater number of scattered parties of officers.

I have also set down all establishments at the full rate of district pay. Of course if the present system is maintained of giving military officers, when employed on these duties, a lower rate of pay, the difference will be a saving.

I shall be happy to draw out any of the suggestions I have made in a more detailed form, in the shape of rules of practice in the different departments, and to submit them for the consideration of the Nizamut Adawlut or Government, if my propositions should be adopted, and such a mode of proceeding be judged advisable.

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* No one can have higher value for Mr. A. Malony's great general ability, sound judgment, extensive information, and high character, both as a public officer and an individual, than myself, and I knew him well. He was a person fit to be put on such a duty; but it happened that he had never seen anything of public business out of Calcutta, and he was under an unavoidable necessity of taking men who could set up an office for him. Besides which, it was very likely not known at that time how rare was an acquaintance with Persian lore in Central India. I say this to avoid being misunderstood.

From *C. U. Aitchison*, Esq., Under Secretary to Government of India, Foreign Department, with the Governor General, to the Officiating Chief Commissioner Central Provinces (No 60); dated Camp, Saharunpore, 21 March 1863.

With reference to your Secretary's letter, No. 38, dated 8th October last, recommending the introduction of a permanent settlement in some of the districts under your administration, I am directed by his Excellency the Viceroy and Governor General to forward for your information the accompanying copy of a letter, and of its enclosures* from the officiating Secretary to Government, north-western provinces, and to state that, as at present advised, the Viceroy and Governor General prefers that the settlement in the Central Provinces be made for 30 years, with the condition that, at any period after ten years from the commencement of the settlement, Government shall be at liberty to revise it with the view of effecting a permanent settlement.

* No. 305 A, dated 4 March. Printed paper sent in, original to be returned.

From Captain *H. Mackenzie*, Secretary to Chief Commissioner, Central Provinces, to Colonel *H. M. Durand*, C. B., Secretary to Government of India, Foreign Department, with the Governor General, Camp (No. 1624 A); dated Nagpore, 28 April, 1863.

I am desired by Officiating Chief Commissioner to acknowledge the receipt of your No. 60, of 21st March last, with its enclosures, on the subject of conceding a permanent settlement to the landholders of the Central Provinces, and directing that the regular settlements now in progress be made for 30 years, with the condition that at any period after ten years from the commencement of the settlement, Government shall be at liberty to revise it, with the view of effecting a permanent settlement.

2. In reference to the above, I am to observe that although the immediate concession of the boon is not yet promised, yet the ultimate prospect of a permanent settlement for those who may prove themselves worthy of it will so far be accepted as satisfactory to the agricultural classes, and will act as a stimulus to the outlay of capital and to improvement generally.

3. The Officiating Chief Commissioner believes that it will not be requisite to do more than notify the present orders of Government to the people in a public manner. This will certainly have a beneficial effect. Efforts will doubtless then be made to secure a title to the concession when the proper time shall arrive. It will not, Mr. Temple presumes, be necessary to insert a clause embodying such condition in the 30 year settlement engagement, which will be drawn up between the Government and the proprietor of each separate estate; nor could he recommend that course, for the intention of Government to conclude settlements for 20 years in the Saugor and Nerbudda territories, and for 30 years in the Nagpore province has been for some years publicly proclaimed, and any such reservation would, if entered in the engagements, be certainly misunderstood by the people, and without doing any good, for it is supposed that a permanent settlement would not be ordered to the landholders without their full consent to, and desire for, the same. Treated in the light of a boon, its concession indeed may be said to presuppose a willingness to receive it; therefore if Government should at any time think these provinces, or any part of them, ready to receive a permanent settlement, the readiness of the landholders to break the current settlement for the purpose of concluding another on a permanent basis may be presumed. No object would, therefore, be gained by entering a condition in the engagements which would, on the other hand, seem to imply the reservation of a power to one of the parties to it, which would not otherwise be willingly granted by the other; and while no object would thus result from the insertion of such a clause in each separate engagement, Officiating Chief Commissioner apprehends that it might do harm as being liable to be misunderstood by a land-holding community as yet suspicious and unversed in revenue practice. It might be regarded by the people as a sort of modification of the repeatedly-proclaimed intentions of Government; and

they might imagine, however erroneously, that it would practically reduce the settlement to a term of 10 years; all after that would appear uncertain in their eyes, and whatever greater advantage there is in a 20 or 30 years' settlement, as compared with a settlement of 10 years, would be in effect lost to both parties; and this result appears to be clearly opposed to the intentions of Government.

4. While, therefore, Offic ating Chief Commissioner is sure that the establishment of an uniform term of 30 years for the settlements throughout the Central Provinces will be received with satisfaction by the agricultural classes, he would propose to give effect to that part of the present orders of Government by means of a public notification, of which a draft is enclosed for the approval of his Excellency the Governor General. After the words "expiration of the first ten years of the above-mentioned term of 30 years," it is proposed to add "or at any other time which may be especially fixed," in case there should in any district appear reason for granting the concession at an earlier date.

5. The Officiating Chief Commissioner begs to retain for the present the printed enclosure of your letter (copy of Mr. Bird's note on the Saugor and Nerbudda Territories); it shall be returned hereafter.

DRAFT of proposed NOTIFICATION.

WHEREAS, by Government Proclamation, dated 26th June, 1854, the Government intention to revise the assessments of the Land Revenue, and, on the expiry of the 20 years' settlements of 1836, to fix revised assessments for a new period of 20 years in the districts of the Saugor and Nerbudda territories was proclaimed; and whereas, the order of the Government, dated 21st March 1863, No. 60, fixing a term of 30 years for the settlement of the Land Revenue, about to be concluded in the Nagpore Province, was duly communicated to the landholders by public notification.

It is now hereby notified that the Government of India has been pleased to concede an extension of the term formerly prescribed for the Saugor and Nerbudda territories to 30 years, and to order that settlements for such terms of 30 years shall be concluded throughout the districts composing the Central Provinces.

It is further notified that, after the expiration of the first ten years of the above-mentioned term of 30 years, or at any other time which may be specially fixed, the Government will be prepared to grant a perpetual term of settlement to such of the landholders of the Central Provinces who may desire the same, provided that the said landholders shall have brought their estates into such a high condition of prosperity and cultivation as shall entitle them thereto under the Government Rules on the subject, and provided that such landholders shall consent to have their assessments revised before the engagements of perpetual settlement be concluded. It will hence be manifest that all landholders should exert themselves to cultivate and improve their property, so that they may be deemed worthy of having their term of settlement declared perpetual.

From Captain *Hector Mackenzie*, Secretary to Chief Commissioner, Central Provinces, to the Secretary to Government of India, Foreign Department, with the Governor General (No. 1636); dated Nagpore, 29 April 1863.

THE regular settlement of the Land Revenue being now in progress in 16 out of the 17 districts which compose the Central Provinces, I am directed by the Officiating Chief Commissioner to address you on the subject of the rules and principles on which the settlements should be concluded.

2. It will be in the recollection of his Excellency the Viceroy that the settlements of seven of the districts of the Saugor and Nerbudda territories, formerly under the administration of the Government of the North Western Provinces, have been in progress since 1853.

3. From recent inquiries the Officiating Chief Commissioner became aware that, although from time to time, since settlements began, instructions on most points, both of principle and of detail, had been issued for the Saugor and Nerbudda districts by the Government of the North West Provinces, yet, owing to the lapse of time, the destruction of records in some districts during 1857—58, and other circumstances, no office could produce a complete file of the correspondence.

4. It

4. It therefore seemed to the Officiating Chief Commissioner desirable that an examination into the whole of the settlement files should be made, and that those portions of the correspondence which contain definite rules and instructions, or useful information bearing on the subject, should be arranged and re-issued in printed form for the use and guidance of settlement officers. This has accordingly been done; moreover, in order to secure the uniform application of the principles, and as much as possible to prevent wrong interpretation of the rules, a summary of them has been compiled, a copy of the selected correspondence and of the summary accompanying this letter.

5. It has, however, seemed to the Officiating Chief Commissioner, and he believes it will be apparent also to his Excellency the Viceroy, that although the instructions issued heretofore are tolerably complete as far as they go, yet some now require explanation and further orders. The Officiating Chief Commissioner therefore proposes to issue a circular containing such explanatory remarks and additional instructions as seem requisite, so that the whole may form a complete Settlement Code for the Central Provinces; but, before preparing such a code, he is desirous that these further instructions should be reported to the Supreme Government, more especially as they involve some measures for the introduction of which it would in any case have been necessary to procure the sanction of the Governor General. I am therefore to communicate the substance of the proposed instructions in the following paragraphs, and also to report the instructions which the Officiating Chief Commissioner has issued on the minor points, so that the whole of this large and important matter may be set forth. The serial order of the subjects which has been adopted in the summary will be observed. Explanation will be offered when it may seem to be required; and special reference will be made to the propriety or otherwise of extending the rules and principles to the districts of the Nagpore province, in which heretofore only the instructions noted in the margin, have been issued. A similar reference will be made to the Sumbulpore district, transferred from Bengal. In that district although the settlement was ordered by the Bengal Government, yet its actual commencement has been made under this administration. Taken then, with the printed instructions, with the subsidiary instructions issued by the Officiating Chief Commissioner, and with the Governor General's orders on this reference, the whole will form a complete code on all the principal subjects which have as yet presented themselves for disposal to settlement officers. And I am to add that the Officiating Chief Commissioner's opinion on the subjects to be noticed has been formed after a complete tour through these provinces, in the course of which he has taken occasion to communicate freely with the agricultural population, with the especial view of ascertaining their feelings in respect of the forthcoming settlement: indeed, in most of the districts the landholders have been assembled in order to meet Mr. Temple for special conference on these subjects. He has also the advantage and assistance of the experience acquired by Capt. H. Mackenzie during that officer's deputation, which has extended over all these provinces, excepting the Chutteesgurh division, and during which he has examined fully all the branches of the work, and the papers connected therewith :—

1. Secretary to Government of India to Commissioner, Nagpore, No. 2279, dated 28th June 1860.

2. Commissioner of Nagpore to Superintendent, Survey and Settlement, Nagpore, No. 967, dated 13th December 1860.

(Copies are annexed.)

1.—*Pergunnah and District Boundaries.*

6. Under this heading, the Officiating Chief Commissioner proposes to rule as follows:—

"The word 'Pergunnah,' used here, must be held to mean 'Tehsildaree,' inasmuch as the Revenue Administration of Districts in the Central Provinces is based on no lesser divisions than Tehsildarees. Old Pergunnah limits exist, nominally only; in an administrative sense they are obsolete.

"By the above instruction it is not intended authoritatively to prohibit the recognition by the people of old-established boundaries; but as under the present Government it becomes necessary in arranging the administrative sub-divisions of districts on a convenient footing to ignore practically the local divisions of past governments, so it is a logical sequence that all office routine should be

based upon the present sub-divisional (Tehsildaree) boundaries, and that all others, except in a subordinate sense, should be dropped out of sight. As a clue to locality it might still, for years to come, be necessary to denote a village as appertaining to an obsolete local division. But there is no more reason for retaining such divisions as the *nominal* basis of administrative routine, after it has become impossible owing to geographical inconvenience or other cause to retain them as *real* basis than there would be to build up the office-routine system on the four points of the compass. The settlement officer should follow the order of the actual *administrative* arrangements, which acknowledge *Tehsildaree* sub-divisions of districts, and not '*Pergunnahwaree*.' The serial number of all registers should run by Tehsildaree limits. If it be convenient to denote the locality by mention of the old Pergunnah or Talooqua let it be done in a subordinate column, just as a clue to locality might also be conveniently indicated by the mention of the direction, N.,S.,E. or W., in another subordinate column."

7. Again, the following qualifying instruction is proposed :—

"Owing to the great size of districts, their hilly nature, and the limited knowledge we possess of some portions of them, some discretion must be allowed in regard to the time of finally arranging boundaries. Districts are also very unequal in respect of the amount of their revenue and other points of administrative detail. In some the duties are very light, in others heavy. In some the Sudder station is central, in others situate at an extreme point of the district. Until, therefore, we have trustworthy maps, and until we revise the assessments, the principal statictics of districts cannot be ascertained and compared, so as to form the basis of final and satisfactory boundary arrangements. It will, therefore, be desirable that the Alphabetical Lists of Villages in Tehsildarees be not adopted as final until the professional survey is for the most part, at least, finished as regards conterminous districts whose boundaries are under consideration."

2.—*Jungle and Forest Tracts and Grass Preserves.*

8. The Government was addressed on the subject in this office, No. 776, of 25 February 1863, to the following effect :—

9. There is in these provinces an excess of jungle and waste land over and above the requirements of the land-tax paying communities. And although hitherto this excess has not been excluded from village areas, and defined as State property, it is evident from the correspondence which passed between the Sudder Board of Revenue, and the Government of the North-West Provinces on the subject, that the right of the State thereto has been repeatedly affirmed by high authorities; and as manorial rights go with the land, such rights may be denied the village proprietors over tracts excluded from the village area.

10. It having thus been determined by competent authorities to exclude such excessive waste from village areas in the Saugor and Nerbudda territories, and it being considered that the rights of the State to excess jungle and forest is as undoubted in the Nagpore province as in the Saugor and Nerbudda territories, it is proposed to issue the following instructions with a view to securing the right to the State, and such instructions being made applicable to all the districts of the Central Provinces alike:—

I. "Each Settlement Officer, having examined and disposed of all claims to possession or *quasi*-possession, direct or indirect, must at once proceed to consider the subject of exclusion of excessive uncultivated area to which no claim can be substantiated, but which is included, or about to be included, in the village measurements.

II.* "In cases where no specific rightful claim shall be substantiated, then 100 per cent. on the cultivated area should be the minimum, and 200 per cent. the maximum amount of uncultivated land, which should ordinarily be awarded to the agricultural community of a village."

* This Rule is now submitted, as amended in this office letter, No. 1632, of 29th inst.

III. "In tracts already measured or surveyed, the settlement officer should proceed to decide generally from what villages a portion of the land included in their

their 'survey' or 'measurement' areas, should, according to the above rule, be excluded."

IV. "The settlement officer should then take up each case, and decide whether the amount of uncultivated land to be allotted in proprietary right, should be equal to, or double the cultivated area, or whether it should be fixed at any intermediate proportion, or other amount, under these rules.

V. "In tracts not yet measured or surveyed, the above investigation should proceed hand in hand with 'measurement' and 'survey,' whichever may be carried out first."

VI. "When the settlement officer has decided all the cases falling under Rule III., report should be made to the Commissioner before assessments are finally concluded."

VII. "When measurements have been completed, the boundary line of the areas to be excluded, should be laid down afresh over the land itself, and on the field maps; information being conveyed to the Revenue Surveyor with a view to the new boundaries being marked off on his maps. The settlement officer should form sketch-maps of the newly-formed state properties. Where it may be inconvenient to prepare new maps, the boundaries of the state property may be shown on the original village maps."

12. The Viceroy's approval to these Rules was conveyed in your No. 57, dated 20th March 1862; exception was, however, taken to Rule II., as pointing to an arbitrary restriction of village claims, and to an unsound arithmetical measure of rights. But it is believed that the explanation which was given of this point in this office, No. 1632 of 29th instant, will have assured his Excellency the Viceroy, that no such arbitrary course was intended. It was there explained that the arithmetical measure enjoined in the rule, was intended to apply only to cases where no right or claim could be established. The present opportunity is taken of supporting that position, further by referring to the selected correspondence on the point, at pages 78–85, and 117, 118 of the printed volume, and to the instructions which were issued to settlement officers provisionally in this office, book circular LXXII. of 1862 (copy enclosed), wherein it will be seen that the whole of the rules and the measure of restriction, have reference, not to village claims or rights, but to the plenary rights of the state, now about to be relinquished. To make this clearer, the wording of Rule II. has been amended. And with this explanation, the Officiating Chief Commissioner trusts that may now be approved.

3.—*Exemption of Gardens from Assessment.*

13. It will be advisable to add to the existing orders under this heading as follows:—

"The Rules do not authorise the exemption of patches of garden cultivation (barees) attached to dwelling-houses. The assets from these, should, accordingly be taken into calculation when fixing the jumma."

14. The Saugor Rules, and the above proposed interpretation may then, the Officiating Chief Commissioner thinks, be applied to the Districts of the Nagpore, and Chutteesgurh Divisions also.

4.—*Village Servants' Free Holdings.*

15. The orders on this subject may probably stand in the districts of the Saugor and Nerbudda Territories, to which alone they have been applied. It is understood that the holdings are in the aggregate in each village, so small, that probably no material difference in the assessment will follow their exclusion from the assessable area. But Mr. Temple does not propose to extend the rules to the remaining districts of these provinces. The individual holders are servants of the community, and hold free *from* the community. At the moment, there-

fore, when a settlement is being made on the more liberal principle of leaving 50 per cent. of the rent to the proprietary body for profit and expenses, it seems unnecessary that the State should extend its liberality still further in a somewhat inconsistent manner, by taking on itself the burden of remunerating the village servants.

16. The Officiating Chief Commissoner would, however, add the following explanatory instruction to the Saugor and Nerbudda Code:—

"The land being private property, it is manifest that the rule on this head has effect only to this extent, viz.: That the servants who occupy, or have particular lands assigned to them, are entitled to enjoy the Government revenue, which would otherwise be assessable upon them. It might be that the proprietor of the land took full rent; he would then pay back to the servant-assignee the Government jumma, out of that rent. In such a case it would be necessary to state in the papers of the settlement Record (especially in the list of free tenures) what would be the Government demand on the land were it not free, and in any case it would be well to do this. But if, as will more frequently be the case, the proprietor waived all claim to rent in favour of the village servant, then a clause to that effect will be necessary in the administration paper to prevent future dispute. Without it, there would be nothing in the exclusion from assessment of the land to prevent the proprietor appropriating the difference between the full rent of the land, and the Government jumma upon it."

5.—*Maafee* (*Revenue-free*) *Inquiries.*

17. No remark seems necessary for the Saugor and Nerbudda Territores. In the Nagpore and Chutteesgurh Divisions, the Rules are followed which were laid down by the Governor General in paragraphs 38, 39, of Letter No. 2862, dated 30th June 1854, by Secretary to Government of India, to the Commissoner of Nagpore. Copies are enclosed for ready reference.

18. In effect, the principles of release and resumption in these, and in the Saugor and Nerbudda Rules (Selection VII.) are the same. Even were it otherwise, it would not, probably be necessary that they should be made absolutely identical under the diverse political circumstances of the two Provinces. Further remark on this head, is therefore, unnecessary. Where, however, the Nagpore Rules may be deficient on points of detail, or as regards procedure, the Officiating Chief Commissioner proposes to refer settlement officers to the Saugor and Nerbudda Rules, which are full and complete.

19. It is therefore, only proposed to issue the following explanatory instructions:—

"The remaining Maafee investigations may now be undertaken entirely by the officers engaged in settlement, without reference to the size of the holdings."

"After they shall have been disposed of, no time should be lost in classifying, and, where necessary, finally reporting these cases."

"It is no longer expedient to delay assessments until the maafees are all finally disposed of. Such of them, therefore, as may remain undecided when settlement officers are ready to assess, must be included in the 'minhall' column of the assessment statement, and be disposed of subsequently. Their ultimate disposal should, however, of course, take place previous to the final completion of the Settlement Misls."

20. It will, however, be seen that the Rules, although complete in respect of "investigation," do not provide for "report"; it is therefore proposed to adopt the following procedure, adopted from that followed in the Punjab:—

"Maafee cases, should, in future, be reported in the following manner:—

"As each case is prepared, it should be abstracted into a register in the vernacular in the following form;—

REGISTER of Maafee, or Revenue Freeholdings, in which Investigation has been completed, in the District of—

1. No.	2. Name of Tehsildaree Division, and other Index to Locality.	3. Name of Village in which the Holding is situated.	4. Quantity of Maafee Lands, whether whole Mouzah or fraction of a Village, &c., in Acres. *Note.*—Lands in actual possession are to be reckoned.	5. Amount of Annual Jumma. £. s. d.	6. Name of Grantor.	7. Date of Grant.	8. Name of Grantee, his Caste and Residence.	9. Detailed Account of the State and Term of Occupancy, showing when granted and the period each individual was in possession.	10. Name of present Occupant, his Father's name, caste, age, and the Relationship he bore to Grantee.	11. Remarks by the Investigating Officer.	12. Orders by Commissioner.

"As the investigations are completed, the misls and the register should be forwarded to the Commissioner of Division without any further proceeding or detailed report. A register may be conveniently submitted when the whole of the cases of any territorial division may be disposed of, or the cases may be classified, and a separate register for each class or description of case may be prepared and submitted, whichever course may be found most convenient.

"On receipt of the misls and register, the Commissioner will then record his orders on the misls, and also in the register. In most cases these orders will be final under the Maafee Rules. The Rules, however, require that some cases should be reported to the Government. In these cases the Commissioner will only pass his opinion, and an order for the case to be abstracted into an English register and sent up again. He will then return the whole of the misls to the Settlement Officer, keeping the register in his own office as a record. No separate roobicarees are necessary.

"The Settlement Officer will then give effect to such of the Commissioner's orders as are final, and prepare an English register of the cases which require further report. The English register will then be forwarded through the Commissioner to the Chief Commissioner's Office for transmission to Government. The misls should accompany, to enable the Chief Commissioner to record his own opinion, for which an extra column should be allowed at the right-hand margin of the English register."

6.—*Assessment.*

20. On the principles of assessment, nothing need be remarked in respect of the Saugor and Nerbudda districts.

21. But, as connected with the subject, the following instructions are proposed:—

"Puttahs (declaration assessments) should be issued, and kuboolyuts, or durkhasts (engagements), taken at the time of announcing the assessments.

"Forms of these documents are subjoined:

(Form of Puttah.)

"To ———— Malik (proprietor) of Mouzah (village or estates) ————
Whereas the land revenue demand has been fixed upon your mouzah, as noted below, I hereby deliver this puttah to you in token thereof:—

	Rs.
"Jumma Sirkaree (Government Revenue)	
"Road Fund	
"School Cess	
"(Any other Cess)	
Total	Rs.

"Besides the above, the ordinary village cesses of the putwaree (village accountant) the kutwar (village watchman), and the like, will be payable by you. They will be duly arranged, defined, and recorded in the Mouzah-Wajib-ool-urz (administration paper).

"The following land has been excluded from the area upon which the settlement is based:—

	Rs.
Maafee of	
„ of	
Total	Rs.

"This settlement is made for 30 years, from 1st July 186 .

"This settlement is subject to the confirmation of the Chief Commissioner.

"————

"Settlement Officer.

"Date ————."

22. This form of engagement does not, it will be observed, provide for the revision of the settlement at any period after the expiry of 10 years, if Government should wish to do so for the purpose of concluding a permanent settlement, in conformity with the instructions conveyed in your No. 356–60 of 21st March 1863. The reasons for this omission are fully explained further on, under heading 17, paras. 58–66, of this letter.

(Form of Kuboolyut or Durkhast).

"After greeting,

"We, ———— Malik of Mouzah ————, acknowledge to have received the puttah under your signature of this date, by which the settlement for 30 years, from the 1st July 186 , of our Mouzah, exclusive of acres lakhiraj, at a jumma of *Rs.* ——, besides cesses, subject to the confirmation of the Chief Commissioner, is announced to us, and we agree to pay the same by regular instalments as below:—

"(*Detail the Kists or Instalments*).

"Date ———— } Malik."

23. In respect of the Nagpore and Chutteesgurh Divisions, I am to observe, as regards the principles of assessment, as follows:—

In letter (annexed) No. 2,279, dated 28th June 1860, from the Secretary to Government of India to the Commissioner of Nagpore (para. 16), it was ruled that a margin of profit, amounting to at least 40 per cent. and, in special cases, 50 per cent. of the gross rental, should be left to the proprietary body. The Officiating Chief Commissioner would now suggest that 50 per cent. be the margin left in all estates: he believes that there is no valid reason why a smaller margin should be left in the village settlements, which are being made in Nagpore than in the Saugor and Nerbudda districts; on the contrary, the same principles on which that 50 per cent. rule was made general in the North West Provinces are applicable to all parts of these provinces.

24. If his Excellency the Viceroy will sanction this proposal, then the whole of the Sangor and Nerbudda "Instructions" on this subject will be applicable to the Nagpore and Chutteesgurh Divisions also.

7.—*Refund of the Difference between the Old and New Assessment.*

25. From Selections XX. to XXIV. it will be seen that, inasmuch as the leases of the last settlement did not provide for the continuance of the settlement beyond a period of 20 years, it was decided by the Government of the North West Provinces that if the Malgoozars would consent to continue paying the jummas of the old settlement, after the expiry of its 20 years' term, until the new settlement might be concluded, and if at the new settlement lower jummas might be fixed, the difference, thus shown to bear the character of an overpayment, should be refunded by the Government. The Malgoozars having agreed to continue to pay the old assessments under the above understanding, the following additional instructions are proposed :—

"When comparing the new with the old demand, it will be necessary to include in both the items coming under the head of 'cesses;' for an old jumma of 505 rupees would not be greater than a new jumma of 500 rupees, by reason of the new school-cess."

"Similarly, an allowance must be made, in favour of the proprietor, on account of resumed maafees (land free of revenue), or in favour of the State, on account of any lands newly excluded from assessment. The Memorandum of Refunds must be submitted in the form of a tabular statement, showing clearly how the results are arrived at."

"If the Settlement Report should be delayed, a memorandum of refunds required should be submitted as soon after assessment as it can with confidence be assumed that no further modifications will be made in the State demand."

"Timely Budget provision must be made on account of these refunds."

26. The rules and instructions are special to the Saugor and Nerbudda territories, and will not need to be extended to the rest of the Central Provinces.

8.—*Cesses.*

27. The following additional instruction is proposed under this head :—

"District dâks (postal lines) having been provided for in the general schedules of district establishments, and the introduction of chowkeedars (village watch) suspended (*see* subject No. 9), it follows that when the assessment is reduced upon the half-assets principle, a quarter per cent. on the jumma for the dâk (postal line), and a moiety of the proportion of the chowkeedar's (watchman's) pay—which would have, in the event of his appointment, fallen on the village—should be added thereto, in lieu of keeping the dâk (postal) fund and the chowkeedar's (watchman's) pay separate."

28. In respect of the chowkeedar's (watchman's) pay, the above instruction will, of course, be dependent on the approval of his Excellency the Viceroy being accorded to the proposals made under the next heading (No. 9) in reference to the non-appointment of chowkeedars (watchmen).

29. Remark is, however, called for in regard to some points under this heading of "cesses" with reference to the existing orders for the Nagpore Province.

30. (I.) In para. 10 of letter (annexed) No. 967, dated 13th December 1860, the Superintendent of Survey and Settlement was instructed by the Commissioner of Nagpore to introduce an occasional cess, at a rate of from ¾ to 1½ rupees per cent. on the jumma. The Officiating Chief Commissioner is not sure that there would be any advantage in this sliding scale, and he would propose that the rate of this cess should be fixed, as in the Saugor and Nerbudda districts, uniformly at one per cent. The same uniform rate, Mr. Temple observes, has prevailed in the Punjab.

31. (II.) The mode of remunerating the chowkeedars (watchmen), ordered by the Commissioner of Nagpore in the same letter, is also, perhaps, somewhat complex—viz., "by a money payment levied from each 100 houses for one chowkeedar (watchman), of from 10 to 18 rupees per annum, to be paid partly from the kutwar's (watch) fund, and partly from the municipal fund, plus five beegahs of first-class land free of revenue demand." But as the Officiating Chief Commissioner trusts that his Excellency the Viceroy will approve of pro-

posals hereinafter made in regard to the kutwars (village watch) throughout these provinces, it will probably not be necessary to act on the instructions quoted.

32. (III.) It was ordered, further, in the Commissioner's letter quoted, that putwarees (village accountants) should be remunerated at the rate of 3½ per cent. on the collections of the village rents. The Officiating Chief Commissioner would introduce the last modification of the rule on this head which has been made by the Government North Western Provinces (Selection LXXXV.), and make the rate from five to six *on the jumma* or revenue demand. The result would be the same or thereabouts as that given by a rate of 3·2 rupees per cent. on the rental collections; but the system is simpler and better.

33. The above cess would be, of course, conditional on the introduction of, and adherence to, a system whereby putwarees are appointed and remunerated solely or chiefly by money payments, but the system itself will be discussed as a separate question further on (paragraphs 47–54).

34. (IV.) In para. 16 of the annexed letter from Secretary to Government of India to the Commissioner of Nagpore, No. 2279, dated 28th June 1860, a rate of 2 per cent. on the jumma (revenue demand) is ordered as a road-fund. The Officiating Chief Commissioner thinks it proper on this occasion to point out that the rate in the Saugor and Nerbudda districts is fixed by Government proclamation at 1 per cent. At the same time Mr. Temple is aware that the Government has a perfect right to levy 2 per cent., the more so when the rate of assessment under the main head of land revenue is being reduced to 50 per cent. on the rental. Leaving out other cesses, the difference between a one and a two per cent. road-cess is only as 50½ is to 51—which is, in point of fact, immaterial, and the extra ½ would be of much use for expenditure on district roads. On the other hand, the landholders would, perhaps, compare their position with that of the land-holders of the Saugor and Nerbudda Territories, and feel the distinction, slight though it be, to be invidious. The landholders have frequently complained to Mr. Temple of the way in which these cesses mount up in the aggregate, and it becomes an object to keep them as low as may be fairly practicable. The Officiating Chief Commissioner, therefore, proposes that the road-cess be fixed at the one per cent. rate for the Nagpore and Chuttesgurh Divisions, uniformly with the rest of the Central Provinces, and the Governor General's sanction to this is solicited.

9.—*Village Watchmen (called) Chowkeedars, Bullahirs, Kutwals, or Kutwars.*

35. In reference to this heading, I am to explain as follows:—Throughout these provinces there exist one or more watchmen (or kutwars) in each village; they are hereditary office-bearers, with duties and rights fixed by prescriptive custom. The duties may be best understood by saying that they appertain to the village drudge. Whenever there is any hard work to be done, a message to be taken, a traveller to be served, or any other miscellaneous duty or petty village service to be performed, the kutwar is called for, and he does the duty. He is usually a low-caste person, and inferior also in status, inasmuch as he is dependent on each and every member of the village community for his subsistence, and amenable to their orders. It need hardly be said that he is a valuable institution in the village, and, taken for what he is, he is of public utility also. Continually in motion, he acquires extended local information; he is of great service to travellers; and as the chief landholders are properly held responsible for the public peace in their villages, and for the orderly behaviour of the inhabitants, so the kutwar is a ready means of communicating with the police authorities whenever any breach of the law may be committed. *But the kutwar is not a policeman* in the strict sense of that term. There are no indigenous rural police in the strict sense, as aforesaid, unless the term be applicable to the chief land-holders themselves, considered as regards their general responsibilities; and therefore, if the organisation contemplated by the orders on this subject in both the Nagpore Province and the Saugor and Nerbudda Territories be intended, as no doubt some have supposed, to be applicable only to existing, *i. e.*, indigenous rural police, it cannot be brought into effect, owing to the very circumstances of the

case

case. But the Officiating Chief Commissioner is aware that others, while admitting that the kutwars, left to themselves, do not perform the duties of policemen, have at the same time advocated their *organisation as a rural police force* under the denomination of chowkeedars. To officers zealous in the department of police, the situation is tempting, and no doubt, if existing orders be carried out, these would not be the only provinces in which the village drudges were dressed, armed, multiplied, turned adrift, and sometimes drilled into what was supposed to be a vast, valuable, and cheap auxiliary police force; but the Officiating Chief Commissioner is not as yet prepared to recommend the pursuance of such a course in these provinces; he is not convinced that good would result from it, while he fears that it would create some discontent both among the landholding class, and the watchman class. A local genius of a certain use and of peculiar fitness to the position in which he stands, becomes, under such a system, a very inefficient constable; the responsibility for reporting crime is practically removed from the chief landholder, whose interest alone it is to act up to his responsibilities, to a mean person liable to temptation which he has no inducement to resist. The framework of the village society, is, to a certain extent, wherein the community and the kutwars are dependent one upon the other, disarranged. The village drudge becomes the village spy, and general dissatisfaction prevails.

36. The Officiating Chief Commissioner believes that the soundness of these views would be fully corroborated by the Government of the Punjab; they are concurred in by all the civil officers in these provinces whom he has consulted. In the Punjab, the rural police system was elaborated with much care; it should have succeeded if success had been possible. Watchmen were comparatively few, the appointments in many cases involved, apparently, nothing more than the introduction of a police rate, which (practically) resulted in a corresponding diminution of the land revenue demand. But the rural police were detested. Our police administration was in a corresponding degree contemned. Village headmen held aloof, shielding, rather than detecting, criminals. District officers worked in the police department *against* the people instead of *with* them; and now, late reports show that the chowkeedars or organised village police are being given up.

37. A similar course, Mr. Temple observes from the last Administration Report for Oude, 1861-62, has been pursued in that province. There, it would appear, the chowkeedars were at the commencement of our rule made Government servants, receiving cash wages at a high rate; but the old system has been reverted to, and no interference is now exercised in either their appointment, dismissal, mode or amount of payment, or performance of village duties. (Memorandum by Officiating Chief Commissioner, Oude, dated 17th February 1862, para. 8.) It is true that in Oude, while restoring the chowkeedar to his old position, a new duty has been required of him; and this is stated to be simply that of reporting all crimes occurring in their villages, and aiding the police in the investigation of crime, the apprehension of offenders, and one or two other matters (Oude Memorandum, para. 7); and he is stated (para. 8) to be bound to perform this new duty "in consequence of his being a village servant."

38. But although the Officiating Chief Commissioner is not prepared to say that the kutwars of these provinces also may not willingly perform this duty, which the chowkeedars still perform in Oude, yet he would desire to reserve his opinion on this point. The question now under discussion is separate; and in reference to it, all he wishes is to have the principles which have been affirmed in the Punjab and Oude made applicable in these provinces also; viz.:—The principles of *non-interference with the kutwar's appointment, dismissal, mode or amount of remuneration, or performance of village duties.* For the rest, that is to say, with regard to the imposition of the new duty above cited, as has been imposed in Oude, in like manner as a joint responsibility of the proprietors, putwaree and kutwars, is upheld in matters relating to police (Memorandum para. 9), the Officiating Chief Commissioner is not sure, whether, in the central provinces, duties even to this limited extent could be imposed, without at least, *the appearance* of a desire to detach the kutwar from the village community and make him a Government servant. At all events, Mr. Temple feels the necessity of acting cautiously; and there certainly are grounds for believing that what, in this respect, might have

been consistently possible in Oude, may not be so here; for some of the duties stated to be old village duties in Oude, viz.:—"to watch the crops and the village, and to make good the value of property stolen, or to catch the thief" (Oude Memorandum, para. 4), certainly did not attach generally to the kutwars of these provinces; consequently, as has been remarked, the Officiating Chief Commissioner is not certain how far even the limited responsibilities attached to the chowkeedars in Oude could be safely laid down as attaching to the kutwars here; and, therefore, this part of the general subject cannot be fully entered upon here. If the major principle of non-interference be affirmed by his Excellency the Governor General, it will be sufficient for the settlement department. The minor questions of the kutwar's duties and responsibilities as a village official and in connexion with the police, can be better adjusted after the main principle shall be affirmed and thoroughly apprehended by the executive staff of the administration and the people.

39. Another difficulty in the organising of a regular village police, is the expense. A body of men numbering several thousands, may be cheaply maintained when they are remunerated by little perquisites, which, being sanctioned by custom, are not appreciably felt by the people. But if that remuneration is superseded, and if this body of men is formed into a sort of force, and paid in cash, then a heavy charge (which for the Central Provinces would amount to several lakhs per annum) arises; and then *how* is such a charge to be defrayed? It could only be defrayed either (*firstly*) by being nominally charged to the people, and deducted from the fiscal demand, in which course the amount is really a charge on the finance of the State; or else (*secondly*) it could be levied from the people over and above the fiscal demand, on which it would be regarded as a severe cess, and detract in their eyes somewhat from the merits of the settlement; or (*thirdly*) it could be defrayed in part by the people over and above fiscal demand, and the remainder deducted from that demand. It would, therefore, be a charge either upon the State or upon the people, or upon both combined. Then for *what* is this expense to be incurred? The answer is for a quasi police in addition to the organised constabulary, which quasi police would be of doubtful efficiency, and would certainly be distasteful to the people. Moreover, such a system would have one positive disadvantage, in that, for information and aid, our officers would look to the new-created village police, and cease to look to the landholders, who are by the common law, and by the custom of the country, the real village police. In all parts of India the influence of the landowners (if they choose to exert it) for the repression and detection of crime is well known; but this is particularly the case in the Central Provinces, where almost every village has its own proprietor, *generally* (though not always) resident, who then becomes definitely and immediately responsible.

40. Mr. Temple has constantly questioned landholders on this subject; they universally prefer that the old village watch should be left as it is; that a new village police should not be organised, and that they themselves (the landholders) should be rendered really responsible for the rendering of assistance and information to the Government police. There is no doubt that if the landholders be made to act up to this, no other agency, equal to them for this purpose could be found.

41. The Officiating Chief Commissioner, under the above considerations, therefore hopes that His Excellency the Viceroy will permit the issue of orders in modification of those in existence to the following effect, viz.:—

"That no change be made in the status of kutwars, bullahirs, &c.

"That at the time of settlement, their position, rights, and perquisites be simply defined according to custom.

"And that if, while treating the kutwar in this manner as a village institution, the settlement officer can, without altering the status in and relations to the community, procure from the community any amelioration of his condition in keeping with the village custom, there is no objection; but that this should not assume the form of authoritative interference."

10. *Rent.*

42. The following additional remarks are proposed:—

"Rents have no fixity in their nature *per se*.

"In the case of tenants at will, no interference will ever be necessary; they hold from year to year, and renew their terms each year.

"A tenant on a lease must abide by its terms.

"When fixing *fair* rents (*see* Summary of Selections, paras. 3, 4) it is not necessary that the deciding officer should base his views upon the pressure of the Government demand. The assessment may have been partly deduced from existing rents, that is, the rental may have been taken by the assessing officer as one out of several data on which he fixed the assessment; but it is to be clearly understood that rent is not deducible from the land-tax, the value of the occupancy of land to the tenant is the sole consideration upon which the settlement officer should proceed.

"The views expressed in the papers supplementary to the Saharunpore Rules, in regard to the preparation of the jumabundee (rent roll) are not to be held to militate against the above, or against the other points on this subject, noted in the summary of the selections."

43. The rules for the Saugor and Nerbudda districts, with the above additions, appear to meet the case in all respects; but the orders by the Commissioner of Nagpore, in the 7th para. of his (annexed) letter, No. 967, already quoted, to the effect that enhancement of rents should be allowed "in proportion to, and on the same principle, though in a less degree, as the State demand from the proprietary body, and regulated by the general capabilities of the estate," might perhaps, be misunderstood. Possibly the settlement officers might be led to infer that it was their business to fix the rent which the landholders should demand from their tenants. This would of course involve a degree of interference contrary to true principles. It is not necessary that the settlement officer should interfere, except on the occurrence of dispute. Mr. Temple would therefore suggest, that the Saugor and Nerbudda orders, with the above additions and explanations, be made applicable throughout these provinces in their entirety.

11. *Service Charge payable by Proprietors of Holdings to superior Proprietors of the Village.*

44. The following additional clauses are proposed:—

"These inferior proprietors are not liable to the charge of lumberdar's (headmen) fees.

"This service charge of from 10 to 20 per cent. is held to include village expenses, and should therefore be fixed after the village expenses' question has been considered in the case of each village.

"The liabilities of these inferior proprietors will therefore be recorded thus in the khewuts (general abstract of the shares of the several proprietors and the quota of revenue payable by each):

"(1) Share of Jumma - - - - -	0 0 0
"(2) Proportion thereon of cesses - - -	0 0 0
"(3.) Ditto of service charge on account of superior proprietor - - - - - -	0 0 0
"TOTAL - - -	0 0 0"

45. It is further proposed that under like circumstances the rules should be applicable to cases occurring in any part of the Central Provinces.

46. The same has only to be said of

12.—*Malikana (allowance) to Talookdars (Superior Proprietors)* &c.
and
13.—*Village Expenses.*

14.—*Putwarees* (*Village Accountants*).

47. On this subject, it will be observed that very full and exact instructions have been issued in the Saugor and Nerbudda Territories, and that in the Nagpore Province also, the organisation of putwarees on a similar system has been ordered.

48. But during his recent tour the Officiating Chief Commissioner was induced to take the subject into his consideration, under the impression that some modification of the existing rules on the subject, or at least, some provision against their too strict interpretation, might be found beneficial.

49. From the papers on this question (Selections XXVIII. to XXXIX., and L. to LVI.) it will be seen that the general tendency of the organisation contemplated, is to separate the putwaree or village accountant from the proprietary body, and to make him, in appearance at least, the servant of the State.

50. Now the Officiating Chief Commissioner is aware that another set of views on this subject is also prevalent with experienced revenue officers; and their tendency is to leave the putwaree, as much as possible, bound to the village community by ties of common interest; they maintain the lesser evil to be the temporary incapacity to fulfil all requirements as perfectly as could be wished, which may be displayed by the indigenous organisation; they urge that it will gradually improve, and that, while by the establishment of the opposite system we estrange the village notaries from their constituents, experience shows that we do not attain the object in view by means of their more accomplished substitutes and a more elaborate system; and that the failure is chiefly attributable to the natural antagonism arising out of such estrangement or separation of interests.

51. On the whole, it appears to the Officiating Chief Commissioner, after visiting the districts and conferring with the landholders, that, when deciding upon the organisation first adverted to, by which the putwarees will henceforth have a tendency to become more and more the servants of the State, and in a corresponding less degree the agents or scribes of the agricultural communities, the authorities did not take full notice of the large extent to which, firstly efficiency, and secondly the hereditary element prevails in the indigenous organisation of the putwarees in the Saugor and Nerbudda districts.

52. The Officiating Chief Commissioner is, at present, in correspondence with Commissioners of Division, regarding the details of this subject; but his own opinion tends to retaining the previous status of the putwarees, as much as possible consistently with the requirements of efficiency, to avoiding the disturbance or supersession of hereditary or prescriptive position. There are, without doubt, many instances where a departure from such status does not seem to be required; where, for instance, the putwaree is efficient, holds office on a hereditary tenure, and receives a remuneration in a customary and approved manner. In such case, the position of the putwaree need not be changed, nor need his remuneration be altered in any way. I am, therefore, to take the present opportunity of noticing the subject, and of soliciting general permission to mitigate the operation of the rules which have been issued where it may appear unnecessary or unadvisable, and to prevent rules from being carried out in too sweeping a manner.

53. The Officiating Chief Commissioner would also request that such permission be extended to the districts of the Nagpore Province also; for although the circumstances are somewhat different, in essence they are similar. For generations, officials forming an integral element of the village constitution, whether under the title of deshmook and deshpaudia, or the more modest appellation of paudia, have existed, and performed the duties incidental with, or analogous to, those now required from putwarees; and it has still to be shown why their knowledge, abilities, and position, should not be made available, and their claims to employment admitted, at a time when a system of agricultural account, and of the registration of landed property, is being elaborated.

54. The views which the Officiating Chief Commissioner now begs permission to bring into effect on this subject, as somewhat differing from the strict application

tion of the rules heretofore issued in the Saugor and Nerbudda territories, are similar in spirit to the views which are set forth in the annexed extract from recent Punjab reports, and which, from para. 13 of the Chief Commissioner of Oude's Settlement Circular, No. 14, of 22d July 1861 (also annexed), appear to have been adopted in Oude.

15.—*Lumberdars and their Fees.*

(The Lumberdar being head man of village proprietary communities where such exist).

55. The Officiating Chief Commissioner would add the following instruct on under this heading :—

" No essential object is gained by limiting the management to one lumberdar, in opposition to the wishes of the shareholders: the feeling of the community should be consulted, and, generally, it conduces to the comfort of the community that there should be at least one lumberdar for each section, or puttee, or separate interest in the estate."

The same rules might, Mr. Temple thinks, be extended to all parts of these provinces, for wherever village settlements are made, the question will sooner or later come up for disposal. Where the proprietors in an estate are numerous, it will be both in accordance with their own wishes, and convenient for the administration that individuals should be recognized as representatives of the proprietary body in matters common to the whole; and all parties will concur in the propriety of compensating these representatives for their trouble, by allotting them an additional share of the profits from the estate. At such junctures, therefore, some rule will be necessary. The Officiating Chief Commissioner would, therefore, extend the rules laid down for the Saugor and Nerbudda districts to all other districts as well.

16.—*Adjustment of the Debts of Landholders.*

56. The following explanatory instructions seem to be required under this heading :—

" By the 2d and 3d Rule of No. XXVII. of the Selections, the *onus* of obtaining an adjustment of the debts of landowners is thrown upon the creditors.

" The 4th para. may be read as making the debtor also responsible for moving for an adjustment; but the wording is doubtful; and the Government Order (Selection No. XXVI.), upon which the rules are based, makes the initiative rest with the creditor alone.

" It will therefore be best to understand the Rules thus :—*That landed property is not liable for debts contracted previous to the Settlement, unless the debtor fail to abide by, and fulfil, or refuse to agree to, the tenures of an adjustment of those debts by the settlement officer, made on the motion of the creditor within a given time after the declaration of proprietary rights in favour of the debtor.*"

The following procedure will, in consequence of the above, be proper :—

" When proprietary right is declared in any land, let a public notice be given, that unless the creditors of the proprietors come forward within a certain time (say six months) after the date of the notice, and obtain, and agree to, an adjustment of their claims by the settlement officer, the property will not be liable to sale, in satisfaction of those claims, such claims to include all debts contracted up to the expiry of the six months' notice.

" Should the creditors come forward, then the settlement officer will be guided by the rules contained in para. 2 of the Saugor Division Proclamation. (Selection XXVII.)

" In this case the adjustment will be recorded separately, and ultimately be transferred to the record-room of the Civil Court of the district, an abstract of the proceedings being filed with the proprietary right misl, and its substance being incorporated in the administration paper of the proprietor's village.

" Should no creditors come forward within the period stated in the notice, the settlement officer will record a proceeding to that effect, declaring, that in

accordance with the rules of the Saugor Division Proclamation, the landed property concerned is not liable to sale for debts contracted by its owners up to that date. This proceeding will be attached to the proprietary right misl, and its substance will be incorporated with the clauses of the administration paper of the village in which the property may be situate.

"Judicial stamps of the proper value will fall to be taken in all suits brought by creditors under these rules."

57. The rules on this subject will not be necessary for any district out of the Saugor and Nerbudda territories.

17.—*Date of Commencement and Period of Continuance of the Settlement.*

Jubbulpore.
Nursingpore.
Seonee.
Mundlah.
Saugor.
Dumoh.
Hoshungabad.
Baitool.

58. The following additional instructions are proposed:—

The Government of India has, in letter from Secretary to Government of India, No. 60, of 21st March 1863, sanctioned the term of thirty (30) years for the settlements now in progress throughout these provinces; therefore, if the landholders assent, the engagements in the districts of the Saugor and Nerbudda territories may be given for 30 years, instead of 20 years, as previously promised.

Nagpore.
Bhundara.
Chanda.
Wurda.
Chindwara.
Raepore.
Belaspore.

59. In the districts of the Nagpore Province, 30 years have already been proclaimed as the promised term of settlement, under the authority of letter, No. 2279, dated 27th June 1860, from Secretary to Government of India, to Commissioner of Nagpore.

60. The same term will apply to Sumbulpore, under the sanction of Government above quoted.

61. The 1st July would be an appropriate date for the commencement of the settlement everywhere.

62. I am here to allude to the instructions of the Viceroy conveyed in your No. 60, of 21st March last, to the effect that the settlements should be concluded for a period of thirty (30) years, with the condition that at any period after ten (10) years from the commencement of the settlement, Government shall be at liberty to revise it, with a view of effecting a permanent settlement.

63. It has already (para. 21) been noticed that it is not proposed that the puttah, or engagements with the landholders should contain a particular clause to that effect. The reason is, that it appears to Mr. Temple this condition will be held to be dependent on the wish or application of the landholder for a permanent or perpetual settlement. In the Saugor and Nerbudda territories, the Government is pledged under the terms of the Proclamation of 24th of June 1854 (Selection IV.) to conclude settlements for a period of 20 years; and similarly, settlements for 30 years have been promised to the landholders of the Nagpore Province by proclamation. In both cases the proclamations were made at the time on the authority of Government orders, and have since been repeatedly explained to the people. Mr. Temple therefore supposes, that if engagements were offered to the landholders for shorter periods, this would be only with their consent. If a longer period were offered, then there would be no difficulty, inasmuch as that would be regarded as an additional concession. But any mention of a shorter period in the engagement might be regarded by the people (however erroneously) to be a limitation of the promises of Government; the objection then would be evident; and if this view be correct, it would neither be necessary nor advisable to cumber the engagements with any new clause of a prospective character. It would not be necessary, because, if its operation is to depend upon the consent of the landholders, its omission will be no bar to action, whenever it may seem proper to the Government to invite such consent to, or application for a permanent settlement, and it would not be advisable, because it might be misunderstood. On these grounds, therefore, Mr. Temple would submit, that as the Government do not propose to offer a permanent settlement at present, the only alternative is to make settlements on the terms of the proclamations, or for longer but *definite* periods, with the consent of the landholders. The Revenue authorities would then understand (and the people might be informed to the same effect) that after the expiry of ten years from the commencement of the settlement, the Government would take into consideration the concession of a permanent settlement

settlement in any case that might be deserving, provided always that the party desired such permanent settlement, and provided that preparatory to such settlement there should be a revision of assessment. The people would then know that there would be no alteration of the present assessment within the period of this settlement, without their wish or consent. After the expiry of this settlement, of course it would be open to Government to make a permanent settlement, or otherwise.

64. It is not necessary, in order to support the above view, that the Officiating Chief Commissioner should discuss the effects which might be produced by concluding settlements for 30 years, but with power reserved to the Government to break the engagements even for the purpose of conceding what might ordinarily be considered a boon at any time after the expiry of 10 years. But it seems, nevertheless, proper in this place, that Mr. Temple should remark that he would not expect those effects to be under the circumstances of these provinces, such as are usually looked for, and generally attained from what is termed "regular settlement." It is unnecessary to recapitulate what has, on more than one recent occasion been brought before the notice of his Excellency the Viceroy, in reference to the past unsatisfactory administration of the land revenue in the Saugor and Nerbudda territories; the short leases, accompanied by a bad system of interference, described by Mr. Bird in his memorandum of 1834; the summary nature of the last 20 years' settlement alluded to by Mr. Muir in the memorandum which accompanied your letter now under notice; the breaking down of that settlement in the three important districts of Saugor, Dumoh, and Jubbulpore; and, lastly, the prolonged delay in revising the last settlement. But the Officiating Chief Commissioner himself, has, during the tour which he has just brought to a close, seen clear evidence in the manner of speech used by the agricultural population in reference to the settlement; in their apparent doubts of its ever coming to a conclusion; in their suspicions that the long delay has some secret cause boding them no good; in their readiness to see, in any new measures of the executive, some intention to break faith as regards the settlement's promised terms; and in the openly-expressed disinclination to adopt any suggestions for agricultural improvement until the written engagements be actually in their hands: in all this, as well as in other less prominent indications, there has seemed clear evidence of the necessity, above all things, of the provisions of the approaching settlements (the most important of which is embodied in the engagements) being framed in terms free from everything which should savour of uncertainty.

65. For these reasons, the Officiating Chief Commissioner does not propose to insert any express clause of the nature alluded to above, and he would omit such a clause with the less hesitation, because one of the main arguments in favour of a permanent settlement being that it would be considered in the light of a great boon by the landholders, the position can hardly be contemplated of the Government breaking the settlement under such a clause without their consent; in other words, for an intermediate revision, in order to concede the boon of a permanent settlement, consent is presupposed. The express stipulation of power for such an end by insertion of clause in the engagement would not be essential, inasmuch as its exercise without the consent of the landholders does not appear to be supposed.

66. This subject has been adverted to further in my No. 1624, A, of the 28th April 1863, acknowledging the Government orders above alluded to; and in that letter it has been proposed that the orders of the Government shall simply be communicated to the people by means of a public notification to the following effect:—

(Proposed) Notification.

"Whereas, by Government Proclamation, dated 26th June, 1854, the Government intention to revise the assessments of the land revenue, and, on the expiry of the 20 years' settlement of 1836, to fix revised assessments for a new period of 20 years in the districts of the Saugor and Nerbudda territories, was proclaimed; and whereas, the order of the Government, dated 21st March 1863, No. 60, fixing a term of 30 years for the settlements of the land revenue about

to be concluded in the Nagpore Province, was duly communicated to the landholders by public notification :—

"It is now hereby notified that the Government of India has been pleased to concede an extension of the term formerly prescribed for the Saugor and Nerbudda territories to 30 years, and to order that settlements for such terms of 30 years shall be concluded throughout the districts composing Central Provinces.

"It is further notified that after the expiration of the first 10 years of the above mentioned term of 30 years, or at any other time which may be specially fixed, the Government will be prepared to grant a perpetual term of settlement to such of the landholders of the Central Provinces who may desire the same, provided that the said landholders shall have brought their estates into such a high condition of prosperity and cultivation as shall entitle them thereto under the Government rules on the subject; and provided that such landholders shall consent to have their assessments revised before the engagements of perpetual settlement be concluded. It will hence be manifest that all landholders should exert themselves to cultivate and improve their property, so that they may be deemed worthy of having their term of settlement declared perpetual."

18.—*Proprietary Right.*

67. To secure uniformity of terms, the following additional instruction is proposed :—

"When declaring rights, the following terms are to be used :

"Proprietor	Malik.
"Proprietary Right	Milkeeut.
"Proprietor of Holding	Malik Mugboozah.
"Tenant	Asamee.
"Tenant at Will	Asamee-ghair-Mowroosee.
"Tenant with right of continued occupancy	Asamee Mowroosee.
"Service charge payable by proprietor of holdings to village managers	Hug-ool-tehseel.
"Cultivator	Kashtkar."

68. Further, the Officiating Chief Commissioner would wish to be favoured with his Excellency the Viceroy in Council's orders on the rule summarised in the 7th clause of the summary under this heading.

69. The Government of the North Western Provinces have, it will be observed, ruled that farmers who came forward during the disturbances of 1857, and undertook the management of villages abandoned by rebels who have paid up their balances, and who have continued to discharge their liabilities, shall be considered to have acquired a proprietary right, to the exclusion of the parties to whom the land would otherwise have been declared to belong.

70. The rule as it stands, might, the Officiating Chief Commissioner apprehends, be applied in a manner not intended by the Government which issued it. The fact is, that surrounded on the north and west, as the Saugor and Nerbudda districts are, by native states, and containing within themselves in 1857–58, elements hostile to the British Government, every chief landholder who left his village, was, in the language of the time, during the disturbed period, termed "a rebel;" some, doubtless, were rebels; but after-events showed that many abandoned their villages through fear, or such like motive, which could not properly be considered rebellion. Further, most of these men subsequently returned to their villages under the amnesty. Although, therefore, it might be only fair to the farmers who undertook the management of the abandoned villages to retain them in possession for a reasonable period, until they should be recompensed for their risk and outlay, the Officiating Chief Commissioner does not suppose that it was intended to exclude from their properties for ever, the original owners, except in cases where it might be clearly shown that they were prominent in rebellion, and really unworthy of indulgence. Something would also depend upon whether they were the ancestral owners, or simply preferential lessees, in possession, previously, of a less perfect title. The rule, as it stands, and as the term "rebel" is locally understood, would exclude from their properties a large number of persons, the majority of whom have ancestral claims thereto, who have not been proved guilty of active rebellion, and whose misconduct

duct, such as it was, in abandoning their villages may be considered as fully condoned under the Queen's Amnesty: to such persons the Officiating Chief Commissioner believes it could not have been the intention of the North West Province Government of that day to apply the rule of exclusion adverted to; but, to prevent misapprehension, I am to solicit permission to apply it in the modified sense indicated above. To apply the rule in its severest sense, Mr. Temple apprehends, might hereafter be productive of discontent and inconvenience, and even worse. For any of those who may have been proved or known to be rebels, no indulgence whatever is asked; but the Officiating Chief Commissioner proposes to invest the several commissioners and settlement officers with discretion to readmit to the possession of their former landed rights all against whom no serious charge or strong moral presumption of active rebellion had been proved, or who were not notoriously rebellious and were pardoned under the amnesty, and to take an indulgent view of all doubtful cases. There would be no obstacle to the readmission of these parties. The incumbent farmers have acquired no prescriptive rights; the excluded parties, when declared to be the proprietors, could be readmitted under the rules in force (*see* Summary, subject heading 19).

71. For officers engaged in the settlement of the Nagpore Districts some separate instructions, at least by way of explanation, will be necessary on this subject of proprietary right.

72. The Government of India, in paras. 12–15 of the letter, No. 2279, dated 28th June 1860 (copy annexed), ordered the recognition in the Nagpore Province of proprietary right; in regard to which the Officiating Chief Commissioner observes that the orders of Government, though somewhat differently worded, correspond with the orders of the Government, North Western Provinces, in so far as they provide for the recognition of "fixed rights, or claims and interests:" malgoozars would be recognisable under the orders of the Government of India, provided the recognition "could be carried out without prejudice to the rights of others."

73. Now those "others," I am to submit, might be—(1), parties having a superior right in the land, although not holding the malgoozaree engagement; (2), unregistered co-sharers of the malgoozars; (3), holders of inferior rights coming under the term "proprietary," such as lessees holding from superior rightholders, talookdars, or others; or (4), rightholders of inferior kind, who come under the term "tenant."

74. In regard to the first and third description of rightholders above noted, the instructions issued in the Saugor and Nerbudda Districts (which are epitomised in the summary under heading 18, para. 8, and heading 12, paras. 1–4) might, in Mr. Temple's opinion, be beneficially extended to the Nagpore Districts.

75. The second class of rightholders above noted, viz. "co-sharers," will of course be recognised. If two brothers shared the profits and losses, the mere fact of only one appearing in the malgoozaree register could not be held to warrant the exclusion of the other from being recognised as a holder of fixed proprietary rights. An instruction simply stating this would be all that is requisite.

76. There remain tenants. In regard to the individuals of this class, who have no claim to any rights beyond those of a tenant, the Saugor and Nerbudda "Instructions" (epitomised in the Summary, headings 10 and 20) coincide with any orders previously issued in the Nagpore Province. In respect, therefore, of those classes of tenant-rightholders, no further instructions seem at present to be necessary.

77. But here, as in the Saugor and Nerbudda Districts, Mr. Temple knows that there exists a large class of old hereditary cultivators, who have claims to the whole rights of property in their holdings *as fixed and as strong* as their present superiors, the malgoozars. The Officiating Chief Commissioner accordingly proposes that the same treatment may be permitted to be observed in respect of the recognition of their rights as is laid down for this class of rightholders in the Saugor and Nerbudda Papers (*vide* Summary, heading 18, paras. 3, 4, 11). These rules provide for the recognition of such tenants as proprietors of their holdings; and the rules being judged appropriate to the districts of the Saugor and Nerbudda Territories, Mr. Temple is of opinion that they are applicable,

cable, with at least an equal degree of propriety, to the districts of the Nagpore Province; for cases in which the superior rights in whole estates have not acquired a prescriptive and fixed character are probably more numerous in Nagpore than in the Saugor and Nerbudda Districts.

78. Should His Excellency the Viceroy in Council approve of the recommendations contained in the last four paragraphs, the orders under this heading for the districts of the Nagpore Province will then coincide in all points with the orders for the districts of the Saugor and Nerbudda Territories.

79. One other point, however, demands notice under this heading of proprietary right. In the 11th para. of the Government letter quoted and annexed, No. 2279, dated 21st June 1860, the Governor General in Council expressed his opinion that landed property should not be saleable for simple debt, or even for arrears of revenue, except as a last resort, in the Nagpore Province. It may indeed be hoped that land will hardly ever be sold for arrears of revenue, and, similarly, the Officiating Chief Commissioner should never recommend that it be sold for simple debt, except as a last resource; but if the principle be adhered to of its not being saleable at all, not even by decree of court, for simple debt, then a distinction will be drawn between the landholders of the late Nagpore Province and those of the other districts of the Central Provinces, which distinction it might be difficult to maintain. The Officiating Chief Commissioner believes that there must be the same rule in this respect for all the districts in these provinces. If land, therefore, is in extremity saleable for simple debt in the Saugor and Nerbudda Territories, it must be so in Nagpore also; but whereas in the Saugor and Nerbudda Territories it was ruled that for debts contracted prior to settlement there should be an adjustment by the settlement officer, the Officiating Chief Commissioner would recommend that for Nagpore it be simply declared that land should not be sold for debts contracted previous to the recognition of proprietary right. The question is a judicial one, and the operation of any rule would be prospective under the action of courts of law.

80. If hereafter the Supreme Government should be prepared to declare, on general grounds, that landed property shall not be saleable at all in satisfaction of debt, then such rule, which would be regarded as a concession to the landed interest, could be extended to all parts of the Central Provinces simultaneously.

19.—*Entry on Possession of Declared Proprietors not in Occupancy.*

81. To the Saugor and Nerbudda Rules on this subject, the Officiating Chief Commissioner would add as follows:—

"It will obviously be desirable to induce parties declared proprietors to obtain immediate entry by payment of fine in cases where the instructions authorise possession being given on such condition. Deferred entry cannot conduce to improvement."

82. The whole would be applicable to the other districts of the Central Provinces.

20.—*Period of Possession constituting a Hereditary Title to Occupancy.*

83. To this the Officiating Chief Commissioner would add the following explanatory instructions, applying the whole to the other districts of the Central Provinces:—

"Although 12 years is the rule, settlement officers must exercise exceptional discretion. In old-established and well-managed villages, 12 years would probably be found too short a period; in new estates a shorter period might suffice. In determining the right to continued occupancy, it is not sufficient alone to consider the period of possession, but also the character and nature of such possession: a brief possession, if marked by outlay of capital, may be of more value in determining a question of right than a longer period of possession not otherwise distinguished. Generally, the sense of the community in regard to the practical exercise of the power of ouster will be a safe guide for the settlement officer in cases where the 12 years' rule may seem inappropriate.

"The proper time for inquiring into and recording the status of tenants is at the

the 'adjustment of rents.' The right of any of the old tenants to be declared proprietors of their holdings will also be then ascertained.

"The inquiry should receive the attention of a judicial officer, and be completed for the whole village at one time as far as may be practicable."

21.—*Quarries and Mineral Products.*

84. The following addition is proposed here:—

"Assets from quarries and mineral products should be excluded from the calculations upon which the jumma may be based.

"These assets will then fall to be dealt with separately, distinct from the revenue derivable from the proprietary village lands."

This instruction would then be applicable to the whole of the Central Provinces.

22.—*Oobaree (Quitrent) Rights and Tenures.*

85. The Officiating Chief Commissioner desires me to submit his views under this heading, with reference especially to the existing prohibition (Summary, heading 22) against inquiry into proprietary right in estates held in oobaree tenure.

86. As noted in the Summary (heading 22), an oobareedar is a person who enjoys the life-privilege of paying to the State land revenue, from the full demand of which an abatement has been made in his favour. Under former Governments he sometimes enjoyed other privileges also; this is not, however, the case now.

87. From the correspondence on the subject, which will be found in the accompanying volume of Selections (Nos. LXIII.—LXVII.), it will be seen that during the early years of the still-current operations connected with the revision of the Land Revenue Settlement, two questions regarding these oobareedars came for disposal before the Government of the North West Provinces. One had reference to the survey of estates held in oobaree tenure, and the establishment in them of the usual revenue system, or that branch of the system which leads to the appointment of putwarees; and the second question related to the inquiry into proprietary right in those estates.

88. The first question was settled in a manner which the Officiating Chief Commissioner has no wish to disturb. Nothing was to be done which, by burdening the oobareedar with additional expense, would infringe the terms of the tenure.

89. But the Officiating Chief Commissioner thinks that the orders on the second question require some further explanation.

90. It will be seen (see Selection LXVII.) that it was decided by the Sudder Board of Revenue, North West Provinces, not to inquire into proprietary right in oobaree estates; and that decision was based upon the orders of Government, North West Provinces, contained in Secretary's No. 35, dated 14th January 1856, paragraph 7 (Selection LXIII.). Now, that paragraph certainly does authorise the course which had been recommended to the Government of not enquiring into proprietary right; but paragraph 9 of the same Despatch contains an express reservation, which does not seem to have been fully appreciated at the time. It is to the effect that the orders of the 7th paragraph "are not intended to affect the recognition or upholding of existing rights of subordinate holders or communities who may be found in actual possession and management of an estate, or of a portion of an estate," but that those rights are to be "ascertained, recorded, and secured."

91. This is so clear, that as it involves the object which the Officiating Chief Commissioner desires to effect, he might, perhaps, act upon it without further reference.

92. But as the subsequent prohibition emanated from so high an authority as the Sudder Board of Revenue, North West Provinces, and as it proceeded upon a representation (Selection LXVI.) that to act otherwise would be a breach of faith, Mr. Temple thinks it may be proper to explain further that, in point of fact, there was no necessity to make any such promise to some of the oobareedars, while

making it to others involved an oversight of the rights of subordinate holders, the power to investigate which was, as has been stated, expressly reserved.

93. For it will be obvious, from the definition which has been given of an oobareedar in paragragh 86, that in relation to the landed estate he must hold one of the three following positions:—

(I.) He may sit at home, away from the estate, and exercising no influence in it beyond being the passive recipient of the periodical instalments of revenue, the abated portion of which he may be enjoying. Or,

(II.) He may have a nearer connection with the estate, exercising a share in the management, granting leases to middle-men, and imposing his own conditions on those middle-men from time to time.

(III.) He may be closely in connection with the estate, dealing directly with the cultivators without middle-men.

94. Besides these three positions, there is no other form of connexion which an oobareedar, as such, can hold with an estate, unless, indeed, it be a compound of the three.

95. Now, an oobareedar of the first kind could have no interest in the non-ascertainment and non-record of the rights of those connected with the estate so long as his abatement of revenue were secured to him.

96. And again, as remarked by Mr. E. A. Reade, a member of the Sudder Board of Revenue, in paragraph 7 of his memorandum (Selection LXV.), oobareedars, of the second and third kind above noted, must be in their own persons either "talookdars" (possessors of a *superior coincident* right of property in the estate) or "zemindars" (which term may be conveniently used here to express the proprietor of every right in the estate, except such as may attach to tenants).

97. If the oobareedar be of the third kind—that is to say, if he be also, as to the estate, the "zemindar," sole proprietor—there could be no more hesitation in ascertaining and recording the fact than there would be in recording the case of the first kind that the oobareedar had nothing and did not wish to have anything to do with the estate beyond receiving his revenue; and the promise to refrain from inquiry into proprietary rights could have no value for either of these two classes of individuals holding oobaree privileges. For them, therefore, it was unnecessary.

98. Consideration is therefore confined to the second description, where the oobareedar is in his own person also "talookdar," that is, a superior proprietor, below whom there exist (1) at least one kind of inferior proprietor, and (2) persons holding the still more subordinate but distinct class of rights of non-proprietary cultivators. For this class of oobareedar the promise has indeed a value; but the Officiating Chief Commissioner conceives it must have been made under a misconception of some of its effects.

99. For if either the superior or inferior proprietor wished to enhance the rent of an old cultivator, who possessed the right of continued possession, and if the cultivator resisted the enhancement, and the case came into court, the cultivator would find a law to protect him.

100. Consequently, the position left to us is this — that what cannot be denied to a non-proprietary cultivator (A) is refused to his superior (B). B must not raise A's rents so as to make his cultivating profitless and drive him to leave his farm; but if C, the talookdar (or superior proprietor), choose, he may oust B from his rights entirely, or absorb him as it were, and deal direct with A; because B, being unrecorded as what he is—viz., proprietor superior as to A, inferior as to C—and the thing in dispute (the land) not being possessed by B, and so not being tangible evidence, his complaint is based on nothing which could be recognised in court. He has no remedy; his only remedy would be recognition by the settlement officer, which is prohibited.

101. The Officiating Chief Commissioner ventures to think that this position involves inconsistency and injustice, and, therefore, that a promise to maintain it is untenable. Such a promise does not seem to have been warranted by the Government

Government letter (Selection LXIII.); on the contrary, the right to inquire into the claims and interests of these inferior holders was expressly reserved.

102. But there was another reason for conceding the request of the Commissioner that proprietary rights should not be inquired into. It seems to have been apprehended that the inquiry might cause some discontent and excitement in a large and influential class.

103. The Officiating Chief Commissioner, however, believes that he can show, on that ground also, that it is not now, at least, necessary to abstain from acting up to the order of the Government North West Provinces, to ascertain, record, and secure the rights of the subordinate holders or communities. Mr. Reade's memorandum (Selection LXV.) describes how formerly there was much confusion in regard to the tenures; how others came to be mixed up with them; and how, ultimately, correct registers were compiled of them. The Officiating Chief Commissioner has had those registers before him, and he finds that—instead of the number or the size of the tenures, or the characters of their holders, being such as to give cause for anxiety, on the score of discontent and excitement on account of an inquiry into the just existing rights of those subordinate to them in their estates—the list is an insignificant one.

104. In the eight districts of the Saugor and Nerbudda territories there are, according to that list, 41 oobareedars, paying a quitrent of 15,528 rupees, and enjoying in the aggregate about from 15,000 rupees to 20,000 rupees of abated demand, derived from 185 villages. Some enjoy large abatements; four are supposed to pay more by way of quitrent than they receive; only six hold more than one village: those six hold 150 villages between them; each of the rest hold only one, or a fraction of a village. Those six larger holders together pay a quitrent of 5,268 rupees, enjoying an abatement equal to perhaps twice or three times that sum. They would, in all probability, be found to hold the second position noted in para. 98—viz., that of talookdars. The rest are probably, for the most part, either zemindars, or purely oobareedars, without any connexion with the villages, or claim to the proprietary right in them. The question now discussed therefore, in all likelihood, affects only those six larger and, perhaps, a few of the smaller oobareedars. There were a few other larger tenures, but their holders forfeited them during the disturbances.

105. On this ground also, therefore (viz., discontent and excitement) the Officiating Chief Commissioner conceives that there are certainly not those reasons of policy now in existence which should lead to exceptional power of injustice being left in the hands of oobareedars.

106. And here another consideration suggests itself: if that course were, for those reasons, to be adopted as regards these few and comparatively insignificant oobaree talookdars, there would, apparently, be greater cause for the same course being followed in respect of those talookdars who are *not* in possession of oobaree privileges. These last do form a somewhat influential class, and yet nothing was exempted in their behoof. Since settlement operations began, *they* have indeed shown an apprehension that the rights of their sub-holders will be fixed, and they may not like it. But no one ever proposed to favour them at their sub-holders' expense; on the contrary (*vide* Selection LXXIX., Summary, subject 18, 8), the rights of the latter were protected in anticipation by a special order from authority.

107. Neither, then, on the score of justice or expediency does Mr. Temple think it necessary to maintain the present rule. During his tour through the Saugor and Nerbudda territories, he has made the acquaintance of all the larger oobareedars; he has also consulted the local authorities, and he is satisfied that no political reasons now exist for interdicting these inquiries. I am therefore to solicit the permission of his Excellency the Viceroy in Council to remove the prohibition, and to authorize the inquiry into proprietary right in oobaree villages, as well as others, on the principle laid down by his Honour the Lieutenant Governor of the North West Provinces (Selection LXIII., 9).

108. In the Nagpore Province, it may be added, analogous tenures are numerous under the term "Mukta;" but no orders special to them have ever been thought necessary, nor does Mr. Temple think that any orders of the nature discussed above are necessary. In these estates all the usual inquiries will be conducted.

23.—*Talookdars.*

109. No further instructions seem necessary at present under this heading.

24.—*Partition.*

110. The following additional instructions are proposed; the whole then to be applicable to all districts in the Central Provinces:—

"Indeem Kashtkars (old or hereditary cultivators), declared to be proprietors of their holdings, are declared in para. 14 of the General Instruction (Selection II.) to possess the right to division. They are not, jointly with the superior proprietors, responsible for the jumma, but they pay to them a cess for "risk, in lieu of such responsibility." They may therefore be considered, in this sense, members of the plurality, and entitled to divide.

"The orders (Nos. XVIII. and XIX. of the Selections) seem to have been issued to the Revenue Court; they should be understood in that sense. Partitions may be made in the Settlement Office when the settlement officer is of opinion that the applicants will be able to manage their responsibilities separately; partition can be effected more easily and cheaply before than after the settlement papers have been delivered to the district office."

25.—*Preparation of the Village Administration Paper, "Wajib-ool-Urz."*

111. The following instructions are proposed:—

"A record should be made of the proprietor's obligation to assist the police in the suppression and detection of crime, as being one of the lawful and express conditions on which his property in land is recognised by the State.

"No complete index to the subjects which will fall to be noticed in the Wajib-ool-Urz can be given; each village has its own peculiarities, which must be studied, and analysed, and recorded.

"The usefulness of Administration Papers depends much upon the manner in which their compilation is taken up; if they are too voluminous, or if the subjects are not well arranged, a stereotyped form is the result. The following plan of arranging the subjects may be usefully adopted:—

"Section I. A succinct compilation of the incidents of the tenure, and of the existing state of things upon which the settlement has supervened.

"Section II. A statement of the terms of the settlement which has been made.

"Section III. Counterpart of the same, or record of agreement of the landowners to the settlement.

"Section IV. Customs, bye-laws, *lex loci*, &c. &c.

"The three first sections can be compiled by an office mohurrir at any time after completion of the adjustment of rents, and the compilation of the khewut (general abstract of rights and liabilities); the fourth section should be undertaken by the putwaree of the village, under the supervision of the superintendent or deputy-collector, at the time of adjustment of rents, when all parties are present.

"All clauses under the 4th section of universal application should be omitted from the fair copy of the village Administration Paper, and abstracted into a Tehsil Wajib-ool-Urz for the sake of conciseness; a clause being entered merely to the effect that, with respect to such and such subjects, all parties agree to abide by the local custom, which has been entered in the Tehsilee Wajib-ool-Urz.

"All mention of the laws relating to landed property, or of the action of the courts under such laws, in respect, for instance, of coercive processes, the law of pre-emption, inheritance of widows, &c. &c., should be omitted.

"By adhering to the above order, a concise record of facts special to each estate is attained, the clause upon any point sought for is readily found, voluminous writing upon non-essentials is avoided and stereotyping is diminished."

26.—*Expenses*

26.—*Expenses of the Settlement.*

112. The following addition is proposed:—

"The cost of the copy of the settlement misl, and of anything else which, at the close of the settlement, may be made over to the putwaree's office, will be charged against the proprietors."

113. In some of the Nagpore districts, the landholders have been charged with the expense of building masonry tri-junction boundary pillars; the Officiating Chief Commissioner would not, however, alter this practice retrospectively, but he would in future observe the Saugor and Nerbudda Rules on this subject throughout the Central Provinces.

27.—*Assessment in Anticipation of Professional Survey.*

114. This is applicable to cases when the field-measurement, the village statistics, and all other data for assessment are ready, but when some delay in the professional survey may arise; and under this heading the Officiating Chief Commissioner would propose the following addition to existing instructions:—

"This will be effected, according to present prospects, in the districts of—

"Baitool,
"Hoshungabad,
"Part of Saugor,
"Dumoh,
"Seonee.

"Settlement officers must be careful to enter the prescribed condition in the engagement; it should run to the following effect:—

"'This assessment will be subject to revision if, at the forthcoming professional survey, any gross error be discovered in the area of the land.'"

115. The same rule would be appropriate in any of the districts of the Nagpore or Chuttesgurh Divisions, also where assessment may precede professional survey.

116. In conclusion, I am to state that the Officiating Chief Commissioner regrets to trouble his Excellency the Viceroy with so lengthy a communication; but at the present stage of the settlement of these provinces, it is essential that a complete code of rules should be framed, and it appears desirable that, if possible, the rules should have that permanent authority which results from the sanction, if accorded, of the supreme authority.

From the Secretary to Government of India, Foreign Department, with the Governor General, to Chief Commissioner of Central Provinces (No. 265); dated Simla, 10 October 1863.

I AM now directed to reply to your letter, No. 1636, dated 29th April, and to convey the orders of his Excellency the Viceroy and Governor-General on such paragraphs thereof as call for notice, with reservation on two points, which will appear in the course of this letter.

1.—*Pergunnah and District Boundaries.*

His Excellency agrees with you that, for purposes of Revenue Administration, the limits of the pergunnah should be the limits of the tehsil. On section 1, para. 6.

This is approved so far as it relates to the actual boundaries of districts, and the inclusion of this or that particular village in a given district; but as the districts in the Central Provinces have been twice rearranged within the last two years, the less change that is now made the better; perpetual alterations are full of inconvenience to the people. On section 1, para. 7.

2.—*Jungle and Forest Tracts, and Grass Preserves.*

These rules, as amended in Chief Commissioner's letter, No. 1632, dated 29th April, have been already approved, and no further orders are required. Section 2, para. 12.

Section 3, para. 13.

3.—*Exemption of Gardens from Assessment.*

This is usual, and is approved; but under the Waste Lands Despatch the revenue on gardens can be redeemed.

Section 4, paras. 15 and 16

4.—*Village Servants' Freeholdings.*

These servants, the village accountant, watchman, &c., being servants of the villagers, and not of Government, should be paid, whether in land or money, by the villagers. The principle laid down in para. 15 is perfectly sound. At the same time the rights of these village servants should be recorded in the settlement papers, as proposed in para. 16.

Section 5, paras. 19 and 20.

5.—*Maafee (revenue free) Inquiries.*

The details in paras. 19 and 20 are not only unobjectionable, but in conformity with what is done in other provinces; they are approved.

Section 6, para. 21.

6.—*Assessment.*

Your proposal that puttahs should be issued, and durkhasts taken at the time of announcing the assessments, is approved. Regarding the forms of these documents, orders will be given to you hereafter.

Section 6, para. 23.

Fifty per cent., exclusive of road-cess, &c., should be fixed all over the Central Provinces. This is the proportion taken by Government in Oude, in the North West Provinces, and in the Saugor and Nerbudda territories. Experience in other provinces has shown, that if Government takes much more than 50 per cent., the settlement breaks down in a few years.

Section 7, para. 25.

7.—*Refund of the Difference between the Old and New Assessment.*

As Government is committed to this principle in the Saugor and Nerbudda territories, the subsidiary instructions, which are fair and reasonable, are approved.

Section 7, para. 26.

There is no reason for extending the principle to the other districts of the Central Provinces in which the previous settlement was only *summary* and tentative.

Section 8, paras. 27–34.

8.—*Cesses.*

The same proportion of the gross rental should be taken as land-tax and as cesses in the Central Provinces as in Oude. The cesses taken in Oude are:

Road Fund,	$\frac{1}{2}$	per cent.	gross rental,	or 1	per cent.	on Government jumma.
School	$\frac{1}{8}$	„	„	or 1	„	„
Post	$\frac{1}{8}$	„	„	or	„	„
Margin	$\frac{1}{8}$	„	„	or	„	„
	$1\frac{1}{4}$			2		

So that Government take $51\frac{1}{4}$ per cent. of the gross rental, and leave $48\frac{3}{4}$ to the proprietors.

The remuneration to the watchmen, who are village servants, should, as well as that of the putwarees and other servants, be paid out of the $48\frac{3}{4}$ per cent. left to the proprietors, their rights and fees being merely recorded in the settlement papers. This is in keeping with the principle laid down in para. 15. In Oude, when the watchman is paid in land, the fields assigned him are entered as his in the khusra, and he receives a lease drawn out in favour of the chowkeedar for the time being. Zemindars, however, have the option of paying in money at three rupees a month; but when this is done, the amount is not collected with the Government revenue—it is merely recorded.

Section 9, paras. 35 to 41.

9.—*Village Watchmen (called Chowkeedars, Bullahirs, Kutwals, or Kutwars).*

The main point is to make the landholders responsible and co-operate. This can only be done by rendering the instruments which they can best make work subordinate to them; your proposals tend to this, and are approved.

10.—*Rents.*

10.—*Rent.*

The rules proposed are good as far as they go; but they must be applied with the greatest discretion. No one as yet knows what subordinate rights exist in the central provinces; there must be no ignoring of rights simply because more convenient theoretically. The rules must not be made to override *bonâ fide* rights. If such rights occur, though contrary to the interests of the proprietary tenure conferred by Government, they should be put on the record. Section 10, paras. 42 and 43.

11.—*Service Charge payable by Proprietors of Holdings to Superior Proprietors of the Village.*

The term "*inferior proprietors*," as regards the central provinces, is not clear. Colonel Elliot, in his Reports of May 1860, stated that there is no proprietary right except in the Government, and he proposed to create and confer such rights. This proposal was fully approved by Government (No. 2279, dated 28th June 1860), who desired, that, in conferring such right, every landholder should, so far as usage and popular feeling permitted, receive, "as nearly as possible, a fee-simple in his estate, subject only to the payment of revenue to Government." His Excellency presumes that in the course of the settlement operations fresh information has been obtained, which may render necessary a modification of the above orders. His Excellency, therefore, desires that you will report more fully on the nature and position of these inferior proprietors; your proposals are in the meantime allowed, subject to modification or revision hereafter. Section 11, para. 44.

14.—*Putwaries and Village Accountants.*

Your views on the *status* of the putwaries are quite correct; they are *village servants*, not Government *employés*. At the same time, Government has a direct interest in seeing both that the putwaries are properly paid, and more particularly that they are properly trained. If the efficient training of these accountants can be secured, it will be quite right to leave their payment to the villagers; but if this be neglected, the Government has a right to enforce measures for a remedy. On this point, and on the employment of the deshmooks and deshpandias, his Excellency leaves you discretion. Section 14, paras. 47–54.

15.—*Lumberdars, and their fees.*

There is no objection to this rule. Section 15, para. 55.

16.—*Adjustment of the debts of Landholders.*

As this is a matter affecting ordinary civil rights, it cannot be set at rest by any order of the Executive Government. Under the orders of the Governor General in 1860, which, under the India Council's Act, have now the force of law, land is not, under any circumstances, liable to sale for simple debt; it is for the civil courts, not the settlement officers, to put their own construction on that ruling. There is no reason why settlement officers should busy themselves in adjusting debts, when the civil court is in no way bound to abide by their decision. The settlement officer should make the settlement with the parties entitled, whether they be in debt or not, and should leave the creditors to their ordinary remedy in the civil courts. The whole of paras. 56 and 57, and of page 31 of the Summary of the Saugor and Nerbudda Rules, should therefore be struck out. Section 16, para. 56.

17.—*Date of commencement and period of continuance of the Settlement.*

These proposals are approved. Section 17, paras. 58 to 61.

18.—*Proprietary right.*

The proposed nomenclature is approved.

No order of the Executive Government can make over such rights in land to another, unless the property of the rebel has been confiscated by a decree of a judicial court. If, therefore, these ousted rebels claim to be reinstated when no Section 18, para. 67. Section 18, para. 70.

sentence of confiscation has been passed, there is no alternative but to admit them.

Such claims, however, need not be invited, and His Excellency approves of your proposal as the easiest way of getting over the difficulty with least injury to the interest of all parties.

Section 18, paras. 71–74.

Your proposals are approved.

Para. 75.

Approved.

Paras. 79–80.

No declaration of the Executive Government on this head can now have any weight; it is for the civil courts to put their own construction on the ruling of Government in 1860.

Section 19, para. 81.

19.—*Entry on possession of declared Proprietors not in occupancy.*

This is unobjectionable.

Section 21, para. 84.

21.—*Quarries and Mineral Products.*

This is quite right, and in accordance with recent decisions as to Government right to minerals, &c.

Section 22, paras. 85–108.

22.—*Oobaree (Quitrent) Rights and Tenures.*

As the oobaree tenure consists merely in the right of the Oobareedar to pay for life a lower rate than Government would otherwise be entitled to demand, and this rate is fixed, and limits the Government demand, Government can have no interest, so far as its own revenue is concerned, in either requiring the appointment of putwaries, or in surveying and assessing the estates.

But that is no reason why, with reference to the rights of cultivators and other parties, these oobaree estates should not be surveyed and assessed with a view to limit the demand of the Oobareedar. An order of Government to its officers not to make such survey and assessment during the lifetime of Oobareedars cannot, by any fair reasoning, be construed into a promise to the Oobareedars that such survey and assessment shall not be made. Such orders are always liable to modification or cancelment from time to time, as circumstances may require, and it is quite a new doctrine that any breach of faith is involved in such change. As regards proprietary right, the reason why the Government North Western Provinces ordered no inquiry to be made, was, that no proprietary right was admitted to exist in any one but in Government. It does not follow, however, that the Oobareedar is the party who has the best claim to receive the gift of the proprietary right, and therefore the inquiry, which you propose to institute, is quite proper. You show that there is no risk of discontent being caused by such inquiry; but even if there were, Government could hardly be expected to refrain from doing an act of obvious justice through fear of causing discontent to the party in whose hands the power of oppression lies, and whose powers would be limited by such inquiry. But in addition to the inquiry proposed, there is no reason why a survey and assessment of these estates should not be made, as has been done with the Jagheers in the Punjab, Oude, and elsewhere, although the assessment will fix what is the fair proportion of revenue which Government *might* take; no more will actually be taken than the quitrent at which the Oobareedar holds. Government will then know what revenue it is losing during the life of the Oobareedar, and will be saved the trouble of assessing the estate on his death; the period of the ordinary settlement operations is the best time for surveying and assessing these estates.

Section 24, para. 110.

24.—*Partition.*

As already noticed in the remarks on para. 42 of your letter, the settlement officers must be guided by what they find to exist and to be the custom of the country. If such proprietary rights really exist they cannot be ignored; but settlement officers must be exceedingly careful not to create sub-proprietary rights which do not find place in reality. With these remarks your proposals are approved.

Section 25, para. 111.

25.—*Preparation of the Village Administration—Paper "Wajib-ool-urz."*

These instructions are excellent, and are approved.

26.—*Expenses*

26.—*Expenses of the Settlement.*

Section 26, para. 112.

This is unobjectionable.

27.—*Assessment in anticipation of Professional Survey.*

Section 27, para. 114.

This is unobjectionable.

You will observe that his Excellency has passed no orders on paras. 21, 22, and 62–66 of your letter, which refer to the question raised in your separate letter No. 1624, A, dated 28th April, nor on paras. 76, 77, and 83, which relate to the term of occupancy which is to give a right to hold at a fixed rent; on these points I am to refer you to my separate letter of this date.

From the Secretary to Government of India, Foreign Department, with the Governor General, to the Officiating Chief Commissioner, Central Provinces (No. 266); dated Simla, 10 October 1863.

In communicating to you orders on your letter, No. 1636, dated 29th April, his Excellency the Viceroy and Governor General has desired me to inform you that he has reserved for further consideration the question raised in paras. 76, 77, and 83, as to the term which shall confer a right to permanent occupation at fixed rents.

This question is under reconsideration in the North Western Provinces; and his Excellency desires, before passing final orders, to have a special report from you on this subject, based upon the information, which, in the course of settlement operations, may have been obtained as to the existence and conditions of such tenures in the central provinces.

From the Secretary to Government of India, Foreign Department, with the Governor General, to the Officiating Chief Commissioner, Central Provinces (No. 267); dated Simla, 10 October 1863.

With reference to your letter, No. 1624, A, dated 28th April, and to paras. 21, 22, and 62–66 of your letter 1636, dated 29th April, I am directed to request that you will reconsider the proposals you have made for the issue of a general proclamation on the subject of a perpetual settlement, and will submit your opinion after full consideration of the views of his Excellency the Viceroy and Governor General, which I am now to communicate to you.

His Excellency, as at present advised, does not concur in the reasoning by which you endeavour to show that the insertion in the leases of a claim reserving to Government the right to revise the settlement at any time after 10 years, with the view of effecting a permanent settlement, would be any breach of faith. Unless you have further reasons for your proposal than those you have stated, his Excellency would prefer the insertion of such a clause in the leases to the issue of a general proclamation, as Government would thereby secure the right to introduce the permanent settlement in any district ripe for it, even if one or two individuals should object.

His Excellency, however, will await a fuller exposition of your views before coming to a decision on this point. But I am to observe, with reference to the form of your proposed notification, that the draft you have submitted is not so much a reservation of the right of Government to introduce a permanent settlement, if it should find it expedient, as a promise to do so under certain conditions, the fulfilment of which single proprietors might claim without reference to the general state of the district. The publicity given to the despatch of the Secretary of State, regarding the circumstances under which a permanent settlement may be extended at the discretion of Government to districts ripe for the same, may perhaps render unnecessary any allusion to a permanent settlement in every proclamation that may be issued; but should his Excellency eventually decide in issuing a proclamation, and on referring in it to a permanent settlement, he would do so in terms much less absolute than those you have proposed.

(No. 12.)

From Colonel *H. M. Durand*, C.B., Secretary to Government of India, Foreign Department, with the Governor General, to *W. Muir*, Esq. (No. 268); dated Simla, 10 October 1863.

His Excellency the Viceroy and Governor General has desired me to forward to you a copy of the papers marginally noted, and to request the favour of your opinion on the questions to which my letters of this date, Nos. 265 and 266-7, to the Officiating Chief Commissioner, Central Provinces, refer.

From Central Provinces, No. 1624 A., dated 28th April.
" " 1636 " 29th "
To " " Nos. 265 and 266-7 of this date.

— No. 36. —

From Captain *H. Mackenzie*, Secretary to Chief Commissioner, Central Provinces, to the Officiating Secretary to the Government of India, Foreign Department, Fort William (No. 2828); dated Nagpore, 2 July 1863.

With reference to Rule XIX. of the Central Provinces' Waste Land Sale Rules, I have the honour, by direction of the Officiating Chief Commissioner, to submit a list of waste lands it is proposed to reserve in the Upper Godavery district of these provinces.

2. I am to observe that the waste lands so proposed to be exempted from sale are in the Zemindaries of Aheree, Sironcha, Noogoor, and Cherla, and the reasons for including them in the category of waste lands are owing to their being covered with teak and beesjasal forests, and possessing some limestone ridges and quarries.

3. Should the reservation of these lands be approved by the Supreme Government, it may be proper to publish the same in the "Calcutta Gazette," in which case the enclosed notification may be couched in appropriate terms.

Notification, Foreign Department (No. 209); dated Simla, 25 August 1863.

In conformity with Rule XIX. of the Central Provinces' Waste Land Sale Rules, the following waste lands are reserved by Government:—

NO.	DISTRICT.	TEHSEEL.	COMPUTED AVERAGES.	CAUSES FOR RESERVATION.
1	Upper Godavery District.	Aheree Zemindary	200,000	Teak and Beejasal forests.
2		Sironcha - -	50,000	Teak and Beejasal.
3		Noogoor - -	10,000	Teak forests of Kurckul.
4		Cherla - -	15,000	Teak forests.
5		Sironcha - -	10,000	A ridge of limestone, extending from the village of Khota, on the Pranheeta, to Arduim (or a point near it) on the Godavery.
6		Sironcha - -	1,000	Lands of deserted village of Singapoor, south of Sironcha, eligible for building purposes.
7		Cherla - -	10,000	Limestone ridge and quarries of Bhoomala Lunka on the Sal river.

From the Under Secretary to the Government of India, Foreign Department, with the Governor General, to the Chief Commissioner, Central Provinces (No. 210); dated Simla, 25 August 1863.

With reference to your Secretary's letter (No. 2,828), dated 2d ultimo, submitting a list of waste lands in the Upper Godavery district, which you propose to reserve for the present, I am directed by His Excellency the Viceroy and Governor General to inform you that your proposal is approved, and that a notification has been published in the "Gazette," reserving the lands from sale.

— No. 37. —

Office Memorandum from the Under Secretary to Government of India, in the Home Department, Fort William (No. 2,858); dated 7 May 1863.

In continuation of this office memorandum, No. 473, dated the 19th January last, the undersigned is directed to bring to the notice of the Secretary in the Foreign Department, that, beyond a very meagre letter from the Chief Commissioner of British Burmah, received under endorsement from the Under Secretary with the Governor General, No. 52, dated 16th ultimo, this department has as yet obtained no information of the action which may have been taken in the Foreign Department on the important communication from this office, No. 4206, dated 16th August last.

(signed) *J. W. S. Wyllie*,
Under Secretary to the Government of India.

Office Memorandum from Colonel *H. M. Durand*, C.B., Secretary to Government of India, in the Foreign Department, with the Governor-General (No. 131); dated Simla, 18 June 1863.

Read, an office memorandum from the Home Department, dated 7th ultimo, No. 2,858, stating that scarcely any information has been sent to that department as to the action which may have been taken in this department on the communication from the Home Department, No. 4,206, dated 15th August last, regarding waste lands—

The Home Department be informed that the extract, No. 4,206, requiring information on the two following points:

1. The formation of rules for the sale of waste lands.
2. A statistical return of all arrangements made for sale of waste lands under the Resolution of 17th October 1861.

On the first point, the matter being one, the decision of which rests with this department in regard to the territory under it, no communication to the Home Department is considered necessary.

On the second point, the information required by the Home Department has been called for from British Burmah, Oude, Central Provinces, and Mysore.

Of these, the reply from British Burmah has been forwarded to the Home Department in docket, No. 52, dated 16th March last, with the necessary statistical information.

The Oude reply is yet under consideration.

The Mysore reply has been referred to the Presidency.

The Central Provinces' Waste Lands Rules have been settled and published in the "Gazette." A circular has now been addressed to the Chief Commissioners of Oude and the Central Provinces, and to the Commissioner of Mysore, desiring them to furnish direct to the Home Department the requisite Statistical information.

Order.—Ordered, that a copy of the above be sent to the Home Department at the Presidency for information.

From *L. Bowring*, Esq., Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore, to Colonel *H. M. Durand*, C.B., Secretary to Government of India, Foreign Department, with the Governor General, Head Quarters (No. 41); dated Bangalore, 14 July 1863.

With advertence to your letter, No. 132, dated 18th June, regarding the arrangements made for the sale of waste lands in Mysore, I have the honour to state that the system depicted in my communication of 23d August last, is still in full force in this province.

2. I was under the impression that my letter above adverted to, which was despatched before the receipt of your instructions, No. 480, dated 30th August, gave all the information which the Government required in connection with the subject, so far as regards Mysore, and that it would not be desirable to interfere in any way with the terms on which waste lands were assigned under the Puttahs, of which a specimen was forwarded with my letter, No. 26, dated 23d August, until the Government had pronounced an opinion on the general question of coffee cultivation in Mysore.

3. As I understand the purport of Paragraph 76 of the Right Honourable the Secretary of State's Despatch, No. 14, dated 9th July 1862, the local administrations were directed to report to what extent the late Governor General's resolution of 17th October 1861, had been acted on. To this, the answer is, that no action was taken on it in Mysore up to the date of my letter of 23d August last, and that the rules promulgated by General Cubbon, as specified in that letter and its accompaniments, continued in force. No alteration, moreover, has since been made, as I conceived that my letter, detailing the arrangements for assigning grants for coffee cultivation (for which purpose alone waste lands have been granted in Mysore), entered so fully into all details as to place the whole question in such a shape as to admit of instructions being conveyed for its ultimate disposal.

4. Should I have been in error in this conception, I must crave the indulgence of Government.

5. In regard to the district of Coorg, a reply was submitted with my letter, No. 33, dated 24th October 1862.

6. I have the honour to state that a copy of this letter has been forwarded to the Secretary to Government, Home Department, together with copies of my letter, No. 26, dated 23d August 1862, regarding Mysore coffee lands, and of my letter, No. 33, dated 24th October 1862, respecting Coorg grants.

— No. 38. —

Extract from the Proceedings of the Government of India, in the Financial Department (No. 124 A.); dated 26 January 1863.

Read again,—

1. Resolution of the Home Department regarding the sale of waste lands and redemption of the land revenue, dated 17th October 1861, Paragraph 56—

2. Despatch of the Secretary of State on the subject of the above resolution, dated 9th July 1862, Paragraph 75, in which it is directed that all sums paid in purchase of waste lands, or in redemption of land revenue, shall be invested "not periodically, but as soon as practicable, and, as a rule, in the four per cent. loan"—

3. Memorandum from the Auditor General of India, dated 3d June 1862.

Resolutions.

His Excellency the Governor General in Council resolves that the Accountant General to the Government of India, and all Deputy Auditors and Accountants General be directed immediately to forward accounts of all receipts arising from the sale of waste lands, from the enfranchisement of imperfect tenures, or from the commutation of the claim of the Government to land tax, from the date of the above resolution of the Home Department, up to the 31st December 1862.

2. Also that from the date of the commencement of the year, *i.e.*, from 1st January 1863, the receipts on this account shall be exhibited in the monthly and quarterly abstracts rendered to the Auditor General of India by the Accountant General to the Government of India, and all Deputy Auditors and Accountants General, in a distinct entry under the Head 6, "Deposits," which is a division under the major head "Public Debt."

3. In the Madras Presidency, the accounts shall include Enam enfranchisement commutations.

Copies to be sent to all local Governments for information, and to the Auditor General, the Accountant General to the Government of India, and to all Deputy Auditors and Accountants General for guidance.

— No. 39. —

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 9); dated 16 January 1863.

Referring to your letter, No. 3396, dated the 20th December, I am directed to express the Board's regret that they should have misunderstood the principle which Rule 19 of the Notification of 30th August was intended to lay down. They were misled by the expression "grantees may redeem the future land revenue of such grants in perpetuity for an amount equal to the present value of all future stipulated annual payments," which they understood to embrace those payments only, the amounts of which formed a stipulation in the existing deed of grant. It will be seen from Paragraph 4 of my letter, No. 384, dated 28th November, that the Board did not overlook the sacrifice of right to future revenue, which the principle they understood to have been adopted would have entailed.

2. The Board understand the latter portion of the 2d paragraph of your letter to imply that their tables contain gross errors of calculation, and that the present value of a given grant in its 51st year would, if their Table B. were used, be found to amount to 18 rupees and a fraction; whereas, if their Table A. were used, the present value of the same grant in the same year would amount to 72 rupees and a fraction.

3. The heading of Table A., as well as Paragraph 2 of the explanation, are clear; that "Table A. shows the actual sum payable at the beginning of any given year of the currency of the lease, in order to redeem all future payments on an imaginary lot for which the first annual payment, according to the conditions of the grant, amounts exactly to one rupee." It is stated in your letter that the present value of future payments in the 51st year of such a grant is "wrongly shown by Table A. to be 72 rupees and a fraction." That table does, in fact, correctly show that on the 51st year the present value of all future payments for the assumed lot up to the 99th year, will be 72,674,888 rupees.

4. It is further to be understood from your 2d paragraph that the present value of the same grant in the same year of its currency is "wrongly shown by Table B. to be 18 rupees and a fraction;" but this is not the case; for as the grant above-instanced pays one rupee in the first year of annual payments, the highest annual payment on it according to the Soonderbuns rules will be four

rupees, and this highest rate will be reached on the 51st year. Table B. shows that the present value of each of those rupees for the remaining 49 years of the grant is 18,168,722 rupees. The total present value will, therefore, in the 51st year, be (18,168,722 × 4 =) 72,674,888 rupees, which his Honour will observe, is to a fraction the same result as that obtained by the application of Table A. to the case.

5. The Board are unable to see by what process the alleged erroneous and discrepant results of your 2d paragraph have been arrived at; but apparently they proceed on a misapprehension of the object of the two tables.

6. The Board quite admit that the calculations required by Government involved nothing new in principle, but having in their office no printed tables, such as those alluded to in your 3d paragraph, they deem it best to refer to an officer of Government who, they knew, had given his special attention to such calculations, and who was likely to possess such tables, and there being precedent for remunerating government officers for extra work done out of office hours, they submitted the recommendation in Mr. Jones' favour.

7. If his Honour, the Lieutenant Governor, on consideration of what has now been urged in support of the accuracy of their tables, be satisfied that they are indeed what they purported to be, though not what the Government desired, the Board doubt not that his Honour will admit that they have grounds for respectfully remonstrating against the tone adopted at the close of Mr. Secretary Lushington's 4th paragraph.

8. The revised tables received with your letter will now be published with the necessary explanations; and the Board will add a column, showing the equivalent of the decimals of a rupee in annas and pie, as it will be more convenient to make the conversion once for all than to leave the local officers to make the calculations in each case.

9. The instructions contained in the other paragraphs of your letter will be carried out.

— No. 40. —

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to *E. H. Lushington*, Esq., Secretary to the Government of Bengal; dated 28 January 1863.

The correspondence regarding the advertising and sale of certain parcels of waste land at Darjeeling, applied for under Lord Canning's Resolution of the 17th October 1861, as published in the Government Gazette of the 17th instant, has been under the consideration of the Association; and I am directed by the Committee to submit, for the consideration of his Honour, the Lieutenant Governor, some remarks regarding the course adopted, which, it is hoped, may induce his Honour to review the orders which have been issued.

2. It appears to the Committee that the third paragraph of your letter, No. 3491, of the 30th December 1862, to the Secretary to the Board of Revenue, practically amounts to setting aside the Resolution of Lord Canning, of the 17th October 1861, though this Resolution has been confirmed, as to grantees situated as are those treated of in the correspondence, not only by the Order contained in the Despatch of the Secretary of State for India, No. 14, of the 9th July 1862, and by the Circular Instructions of the Governor General in Council of the 15th August, but also by the rules of the 30th August, issued by the Government of Bengal.

3. These confirmations were all published, with the knowledge that no rules of procedure had been laid down; and the former provide that any arrangements actually made under the Resolution shall be maintained, and the latter that lands applied for under the Resolution of the 17th October 1861, shall be dealt with according to the terms of the said Resolution; and, finally, Mr. Secretary Eden, in the concluding paragraph of the answers given to Mr. C. B. Stewart, dated the 19th September, after alluding to the fact that no rules of procedure

procedure were ever issued, proceeds to say: "Still, where an applicant has been led to expect, by the act of a collector, that his application would be complied with in the terms of the Resolution, he is not to be disappointed."

4. It is contended therefore that the non-issue of rules of procedure cannot have the effect of rendering void all that has been done before the rules of the Local Government were promulgated, but that the Resolution of the 17th October 1861 itself takes the place of the rules of procedure, and that such cases as those which have given rise to the correspondence must be dealt with in accordance with the spirit of the Resolution, by the 20th clause of which it is declared that "grants should not be liable to be disturbed on account of any informality not attributable to any act or default of the grantee." It appears to the Committee that this obviously means that persons who have obtained grants from the local authorities should not be disturbed in their rights by the discovery that any of the forms of procedure had been omitted, where that omission arose from no act or default of theirs, but simply from the laches of the officer representing the Government.

5. The 17th clause of the Resolution is a direction to the collector to advertise the application, and the non-compliance with that direction is a laches on the part of that officer for which the applicant for the grant, acting on perfect good faith, ought not to be in any way liable: and I am directed to point out that where possession of the land has been given, and where the grantee has expended time and money on reclaiming and planting his grant, it is impossible to rectify the omission to advertise at the time by advertising now. There can be no analogy between advertising an application for waste land in a state of nature, and inviting competition for a grant which has been partly cleared and planted with tea; and therefore any attempt to do now what should have been done at first will not correct the mistake, but will put up for sale, for the benefit of Government, the money, time, labour, and skill which the grantee has invested in the land, in reliance on the Resolution of the 17th October 1861 being carried out in the spirit in which it was framed, as shown in the 20th clause, already quoted, and in the last sentence of the 57th clause, with which it concludes.

6. I am desired to say that these remarks are not based on any particular case, nor exclusively with regard to Darjeeling. It is understood that both in Assam and Cachar grantees have been put into possession of lands, and have made considerable progress in clearing and planting portions of their grants; and though it is not certainly known that no advertisements of the applications were issued, it is considered probable that these were not; and it is felt that to invite competition for these improved and partially planted grants at the present time would be an injustice and a very great hardship.

7. Under these circumstances, I am directed to express the hope of the Committee that his Honor the Lieutenant Governor may see fit to modify the directions which have been given.

From *E. H. Lushington*, Esq., Secretary to the Government of Bengal, to *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association (No. 813); dated 20 February 1863.

I AM directed to acknowledge the receipt of your letter, dated the 28th ultimo, submitting the remarks of the Committee on the subject of the sale of certain parcels of waste land at Darjeeling, recently put up for public competition.

2. It would appear from these remarks that the Association has overlooked the plain difference that exists between the sale of land made in accordance with the Resolution of 17th October 1861 (but without waiting for the rules of procedure, as required by the Resolution), and the sale of land made directly contrary to the terms of the Resolution itself. The cases to which the Association have referred are entirely of the latter complexion. The question which the Lieutenant Governor had to consider, in dealing with those cases, was simply whether or not the Superintendent, in selling the lands, had complied with the essential terms of the Resolution. On examination, it appeared distinctly that he had not only failed to comply with those terms, but had acted directly con-

trary to them; and on those grounds his Honor was quite unable to support his proceedings, or to recognise the sale of the land. If the Superintendent had acted in accordance with the spirit of the Resolution, and had given others an opportunity of applying for the land, the case would have been different; but, in fact, all that he did was to dispose privately, at the rate of *Rs.* 2. 8. an acre, of land which, under the rules then existing, could only be sold at the rate of 10 rupees an acre. Notwithstanding this circumstance, the Lieutenant Governor was prepared to give every consideration to persons who had come into possession of lands in this irregular manner; and, accordingly, the Board of Revenue were authorised to make them the offer of the lands in question at 10 rupees per acre. That this offer, to which these gentlemen were not in any way entitled, was a very liberal offer is clear from the fact that, when they declined to accept it, the land was sold by auction at a considerably higher rate. The Lieutenant Governor is therefore unable to make any modification of the orders in the cases he has already disposed of.

3. In regard to future cases, which the Association think likely to arise in Assam or Cachar, I am to observe that the Lieutenant Governor can lay down no fixed rule of procedure. Each case will be carefully considered on its individual merits, and in all cases his Honor will be prepared to carry out to its fullest legitimate extent that spirit of liberality which has been enjoined on this Government by the Governor General in Council and the Secretary of State for India.

From *J. Beckwith*, Esq., Secretary to the Landholders' and Commercial Association, to the Honourable *A. Eden*, Secretary to the Government of Bengal; dated 16 March 1863.

I AM directed by the Committee to acknowledge the receipt of Mr. Secretary E. H. Lushington's letter (No. 813) of the 20th ultimo, in reply to mine of the 28th January, on the subject of the sale of certain parcels of waste lands at Darjeeling.

I am desired to say that the Committee are glad to find that his Honor the Lieutenant Governor is prepared to carry out, to its fullest legitimate extent, that spirit of liberality which has been enjoined by the Governor General in Council and the Secretary of State for India.

The Committee had no information regarding the particular grant swhich were sold at Darjeeling, and I was therefore careful in my former letter to base my remarks on the general principles in question, and not on the individual cases which led to the correspondence the publication of which gave rise to the letter I was directed to address to you.

In that correspondence occurred the assertion (para. 3 of Mr. Secretary Lushington's letter, No. 3491, of the 30th December 1862, to the Board of Revenue) that, as no rules of procedure had been laid down by the Local Government, so no persons to whom lands had been made over under the Resolution of the 17th October 1861, could have any title to them; and it was chiefly in consequence of this sweeping assertion that I was directed to address you in order to establish, as the Committee trust they have done—

1st. That such cases must be dealt with in accordance with the Resolution of the 17th October 1861.

2d. That by the spirit of the Resolution, and by the express provision of the 20th paragraph, the omission on the part of a Government officer to perform any act which it was his duty to perform, is not to form the ground of disturbing the possession of a grantee to whom such informality is not attributable.

3d. That to sell by auction land cleared and planted cannot possibly correct the omission to advertise such land when first applied for.

With reference to this last proposition, I may remark that the Committee cannot admit that the higher rate obtained for the Darjeeling grants by auction was a clear proof, as stated, of the offer of Government being a liberal one, inasmuch as the price obtained for a tea plantation can be no criterion of the money value of the land when that land was in a state of nature. They do not say that the waste land may not have been of greater value than the 10 rupees per acre

at

at which it was offered, for they do not found any of their arguments upon the particular grants in question, but they contend that the price at which land cleared and planted with tea may sell can form no measure of what the same land would have brought whilst waste.

To sell a cleared and cultivated grant is not to sell what had belonged to Government, but to confiscate, and sell with the waste land, the improvements created by the capital and labour of the grantee: and where the latter has acted in good faith, to confiscate his property for an omission on the part of an officer of the Government would not only be contrary to the spirit and context of the Resolution of the 17th October 1861, but would be at variance with justice.

Since the receipt of Mr. Secretary Lushington's letter, the Committee have seen, with much surprise and regret, that a Bill passed by the Council of the Governor General, without previous publicity, overrides the rules for the sale of waste lands, by fixing the minimum period for advertisements previous to sale at three months instead of 30 days.

This change, adding to the delays and uncertainties already attending the acquirement of waste land, is so discouraging that the Committee consider it an additional reason for asking the Government to deal liberally with the applications already recorded as affecting the only lands which the public are likely to have any opportunity of obtaining for some time to come.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 28); dated 3 February 1863.

I AM directed by the Board of Revenue to forward herewith copies of two statements, dated 8th and 22d January, of waste lands sold at Darjeeling, together with a copy of the Superintendent's letter No. 68, dated 8th January.

2. The result of the sales is satisfactory. The total area sold on the two dates is 30,880 acres, and the price obtained is 5,24,705 rupees, giving an average price per acre of about 17 rupees.

3. The form of the deed to be given to purchasers is under consideration.

4. The Deputy Auditor will be requested to instruct the Superintendent how he is to credit the sale proceeds under "Debt."

From *H. C. Wake*, Esq., C.B., Superintendent of Darjeeling, to the Secretary to the Board of Revenue, Lower Provinces (No. 68); dated 8 January 1863.

I HAVE the honour to forward the Extract from the Register of Sales of land, applied for under the Resolution of the 17th October 1861, required by Supplementary Rule M.

2. The prices at which the lots sold are most satisfactory.

3. The highest sum per acre realised under the old rule sales was 24 rupees an acre, whereas the highest bid at this sale is 30 rupees, showing the estimation in which landed property at Darjeeling is now held, and fully bearing me out in the high upset price I proposed for tea-lands.

EXTRACT from Register of Sales of Waste Lands applied for under the Governor General's Resolution of 17th October 1861; held at the Superintendent's Office, Darjeeling, on the 5th January 1863.

Consecutive Number of the Sales, in the Order in which they are made.	Pergunnah, Thannah, or other Subdivision in which situated.	Mouzah.	Area and Boundaries of the Plot, as ascertained by Survey.	Date of Sale.	Name and Residence of Purchaser.	Amount Paid for Survey and Advertisement.	Price for which Sold.	REMARKS.
						Rs. a. p.	*Rs. a. p.*	
1	Darjeeling, Thannah Matigurha.	Bamun Pokree -	Acres, 1,369. 1. 6. North-west, Register Block, No. 235; east, Ruckti River; west, Runsunmali River; south, by a straight line which joins the Ruckti and Runsunmali Rivers.	5 Jan. 1863	Mr. R. Southby -	358 4 –	30,808 14 –	Pending the orders of the Board, I have taken from each purchaser 4 annas an acre for survey expenses, and 16 rupees for advertisement. These sums I have placed in deposit.
2	Ditto - - -	Roongin - -	North, Mr. Fitzgerald's Castleton Plantation; west, north-west and south-west, the Ruckti River; north-east, Register Block, No. 173. (Acres, 2,039. 3. 12.)	- ditto -	Mr. H. C. Levinge -	525 12 –	42,836 4 –	I have given to each purchaser a simple receipt, to the effect that the sums were paid for the above purposes on account of such and such a lot sold on 5th January 1863, and containing such and such, or such an approximate area.
3	Ditto - - -	Near Roongin -	Acres, 710. North and east, by boundary pillars put up by the Survey Department; south-east, by the foot of the hills; west, by the Rohini River.	- ditto -	- - ditto - -	193 8 –	10,295 – –	
4	Ditto - - -	Below Rodobari -	Acres, 12. 3. North, east, and west, the Punkabari Road; south, the Drury-lane Estate.	- ditto -	Mr. P. H. Scanlan -	19 3 –	31 14 –	As I am unable to issue the deeds, the forms of which have not yet been received, only four of the purchasers, as you will perceive, have deposited the instalment of 10 per cent. required to precede the granting of the same. These instalments are in deposit.
5	Ditto - - -	Selim - - -	Acres, 226. 1. 15. North, north-east, and east, by the new cart-road trace; south and west, by the Government land.	- ditto -	Mr. R. Southby -	72 8 –	2,376 10 –	
6	Ditto - - -	Near Kursung -	Acres, 168. 1. 11. North, by the boundary pillars put up by the Survey Department; east and south-east, by the present Punkabari Road; south-west, by Sunneasyjhara; west, by Government reserve for building sites.	- ditto -	Mr. H. Dewes -	58 1 –	420 13 –	I must request instructions as to the disposal of all sums realised by the sale of waste lands.
7	Ditto - - -	Selim - - -	Acres, 574. 1. 30. North and north-east, by the new cart-road trace; south-west, by the Rohini River; south-east, by boundary posts put up by the Survey Department.	- ditto -	Major Wardroper -	159 8 –	10,339 14 –	Hitherto, by order of the Bengal Government, No. 192, dated 16th March 1854, all sums have been credited to the Location Fund; but I do not suppose such any longer to be the intention of Government. In the receipts mentioned in para. 2, the rate at which the lot was purchased per acre is also mentioned.
8	Ditto - - -	Near Bamun Pokree	Acres, 100. North, the Mokaibari Estate; south, Bamun Pokree; west and north-west, the Punkabari road; south-west, a stream which divided it from Mr. Pereira's estate; east, the Ruckti River.	- ditto -	Mr. L. Pereira -	41 – –	600 – –	
9	Ditto - - -	Between Selim and Kursung.	Acres, 435. 0. 31. North and north-east, the new cart-road trace; south, Pouskurnah's land; west, Mr. Fitzgerald's land, and Register Blocks, Nos. 165 and 187; east, Register Block, No. 183.	- ditto -	Mr. H. C. Levinge -	124 12 –	13,055 13 –	*H. C. W.*
10	Ditto - - -	- - ditto - -	Acres, 203. 3. 31. North and east, by the boundary pillars set up by the Survey Department; south, by the new cart-road trace; west, Mr. Barne's Dhumberjote.	- ditto -	Mr. P. S. Lindeman	66 12 –	3,263 1 –	
11	Darjeeling, Sudder Thannah.	Merig - - -	Acres, 1,910. 3. 6. North, north-east, and north-west, the Runbhungjhora; east and south-east, Mr. Barne's murma; west, by Singi Sooba's land; and south, by boundary posts put up by the Survey Department.	- ditto -	Mr. R. Southby -	493 11 –	39,170 9 –	

12	Darjeeling, Sudder Thannah.	Near Merig - -	Acres, 1,529. 2. 15. North, south, and south-east, by boundary pillars put up by the Survey Department; east, the Barasan River; west, the Manja River.	5 Jan. 1863	Mr. C. Strachan -	398 6 -	32,121 8 -	
13	Ditto - - -	Rinchintong -	North and north-west, by Pucheem Panee; north-east, by a stream; south-west, also by a stream; south-east, by Purbut Sing's leased land. (Acres, 305. 3. 9.)	- ditto -	Mr. H. Blunt - -	92 7 -	7,951 - -	10 per cent. paid, and placed in deposit.
			Unsurveyed Lands:					
14	Darjeeling, Thannah Matigurha.	Near Sivokkhola -	Acres, 1,095. North-east, Mohanuddi River; north-west and west, Selimjhora; south, by boundary pillars put up by the Survey Department.	- ditto -	Mr. C. G. Smythe -	289 12 -	18,615 - -	*See* my letter No. 17, and dated 7th January, which requires special attention.
15	Ditto - - -	- - ditto - -	Acres, 603. North, a stream which divides it from Bagmara's 9 acres; south, the new cart-road trace; east, by the land applied for by Mr. Ivey; west, Mr. Barne's land; north-west, the land applied for by Mr. F. P. Lindeman.	- ditto -	Mr. F. P. Lindeman	166 12 -	9,949 8 -	
16	Ditto - - -	Selim - - -	Acres, 300. North, by the land applied for by Mr. Ivey; east, by a stream dividing it from the land applied for by Mr. Ivey as reserve; west and south-west, by the new cart-road trace; south, nearly a point.	- ditto -	Troilockunath Banerjee	91 - -	4,950 - -	
17	Ditto - - -	Sivokkhola - -	Acres, 400. Situated to the north, east, and west of Mr. Barne's Bagmara land, and bounded on the south by Sivokkhola River.	- ditto -	- - ditto - -	116 - -	7,000 - -	
18	Ditto - - -	Borbong - -	Acres, 500. North, by a stream; south, by Mr. Barne's Karjung land; south-west, by the new cart-road trace; east and south-east, by the land applied for by Troilockunath Banerjee.	- ditto -	Mr. C. Strachan -	141 - -	7,000 - -	
19	Ditto - - -	Kynamooka - -	Acres, 2,745. 2. 4. North, by the land applied for by Mr. L. Pereira; east and west, by streams; south-west, by Runbhung River; south, by the foot of the hills.	- ditto -	- - ditto - -	702 6 -	49,419 8 -	
20	Darjeeling, Sudder Thannah.	Above Dooteria -	Acres, 500. East, by the new cart-road; west, the public road leading from Dooteria to Darjeeling; north, also by the said public road to Darjeeling; south, by the public road leading from Dooteria to the village of Rungbhool.	- ditto -	Mr. B. Hallifax, manager of the Dooteria Tea Estate.	141 - -	1,250 - -	
21	Ditto - - -	Rinchintong -	Acres, 1,000. North-east, the cart-road; north-west, the Pucheem Torrent; south-east, the crest of the Rinchintong Spur; south-west, the land applied for by Messrs. Dear and Rundle.	- ditto -	Mr. J. T. Cormack -	266 - -	18,500 - -	
22	Ditto - - -	Head of the Rinchintong Spur.	North, Puncheem River; south, by Government land; east, the present Punkabari road; west, the reserve for building sites above the cart-road.	- ditto -	Gour Mohun Chatterjee.	66 - -	2,500 - -	
23	Ditto - - -	Rinchintong -	Acres, 2,000. North-west, the crest of the Rinchintong Spur; north-east, the new cart-road; south-east, Numsoopanee; south-west, the land applied for by Dr. Chalmers.	- ditto -	Mr. John Taylor -	516 - -	41,000 - -	
24	Ditto - - -	- ditto - -	Acres, 500. North-west, Pucheem Panee; north-east, by a straight line from the crest of the Rinchintong Spur to the Pucheem Panee, at right angles to the crest; south-east, the crest of Rinchintong; south-west, the land applied for by Mr. Rundle.	- ditto -	Mr. H. Dear - -	141 - -	12,500 - -	Mr. Dear having paid in the full purchase-money, at *Rs.* 2. 8., to Dr. Campbell, the 10 per cent. required is in deposit to his credit.

EXTRACT from Register of Sales of Waste Lands applied for under the Governor General's Resolution of 17th October 1861, &c.—*continued.*

Consecutive Number of the Sales, in the Order in which they are made.	Pergunnah, Thannah, or other Subdivision in which situated.	Mouzah.	Area and Boundaries of the Plot, as ascertained by Survey.	Date of Sale.	Name and Residence of Purchaser.	Amount Paid for Survey and Advertisement.	Price for which Sold.	REMARKS.
						Rs. a. p.	*Rs. a. p.*	
25	Darjeeling, Sudder Thannah.	Rinchintong	Acres, 500. North-west, Pucheem Panee; south, by the land applied for by Parbut Sing; east and north-east, by the crest of the Rinchintong Spur.	5 Jan. 1863	Mr. C. Rundle	141 – –	10,000 – –	For the same reason, we have *Rs.* 250 in excess of the 10 per cent. required to be deposited.
26	Ditto	ditto	Acres, 1,000. North and north-east, by the land applied for by Mr. Atkinson; east, by Dyalthang; north-west, by the land applied for by Messrs. Dear and Rundle; south, by the land applied for by Major Wardroper, under the new rules.	ditto	Mr. R. Southby	266 – –	19,500 – –	
27	Ditto	ditto	Acres, 3,000. North, by the land applied for by Captain Cornish, under the new rules; south, by the land applied for by Captain Jerdan; east, by the land applied for, and partly surveyed for, Major Wardroper; west, the Meehi River.	ditto	Major Wardroper	766 – –	45,000 – –	
28	Ditto	ditto	Acres, 3,000. North and north-west by Mr. Barne's land; north-east, Government land; east, Balasun River; west, the land applied for by Major Fitzgerald; south, the lot containing Acres 993. 1. 6., to be advertised under the new rules.	ditto	ditto	766 – –	7,500 – –	
29	Ditto	Tugvor	Acres, 3,000. North-east, Mr. Barne's land; north-west, the Little Runjeet; south-west, the spring dividing it from Captain Jerdan's land; south-east, Mr. Trentter's land.	ditto	Mr. R. Southby	91 – –	6,600 – –	
30	Ditto	Nagri	Acres, 3,000. North, by a line from the head of the Nagri Spur due west to the Meehi River; south, the land applied for by Captain Cornish and surveyed for him; east, by Mr. Barne's boundary of Nagri; west, by the Meehi River.	ditto	ditto	766 – –	58,500 – –	
31	Ditto	Darjeeling	Acres, 150. North, the Rose Bank building location; south, a ravine, which divides it from the Burdwan Rajah's two building locations; east, the Victoria Road; west, the junction of two ravines.	ditto	The Rajah of Burdwan.	53 8 –	3,825 – –	10 per cent. has been paid and placed in deposit.
32	Ditto	Below Jillapahar	Acres, 250. North and south by two ravines; east, the new cart-road trace; west, the land applied for by Mr. T. E. Donoghue.	ditto	Mr. G. B. Ward	78 8 –	3,625 – –	
33	Ditto	Below the Victoria Road.	Acres, 50. North and north-east, the continuation of the waterfall ravine; south, by the ravine which separates it from the Rose Bank building location; east, by the Victoria Road; west, the junction of the two ravines.	ditto	Mr. W. Brophy	28 8 –	600 – –	
					TOTAL *Rs.*	8,197 5 –	521,105 4 –	

Total Area Sold – – – *Acres* 30,679. 3. 10.

Average Rate per Acre – – – *Rs.* 16. 15. 9.

H. C. Wake, Superintendent.

From *C. Murray*, Esq., Assistant Superintendent in Charge, Darjeeling; dated 22 January 1863.

Forwarded to the Board of Revenue, Lower Provinces, as required by Supplementary Rule M.

EXTRACT from Register of Sales of Waste Lands (applied for under the Governor General's Resolution of 17 October 1861), held at the Superintendent's Office, Darjeeling, on 21 January 1863.

Order in which they are made.	Pergunnah, Thannah, or other Subdivision in which situated.	Mouzah.	Area and Boundaries of the Plot, as ascertained by Survey.	Date of Sale.	Name and Residence of Purchaser.	Amount paid for Survey and Advertisement.	Price for which Sold.	Remarks.
						Rs. a. p.	*Rs. a. p.*	
34	Darjeeling, Thannah Mattigurha.	Selimspur -	Approximate area, 200 acres. Bounded on the north by lot No. 5, sold to Mr. Southby on the 5th January 1863; on the south by lot No. 19, sold to Mr. Strachan on that day; on the east by the new cart-road trace; and on the west by the land applied for by Mr. D. Cowie as reserve.	21 Jan. 1863	Mr. Wm. Bell, of London House, Hare Street, Calcutta.	66 - -	3,600 - -	Ten per cent. on the purchase-money paid, and held in deposit, together with the amount paid for survey and advertisement.

Superintendent's Office, Darjeeling, 22 January 1863.

(signed) *C. Murray*, Assistant Superintendent in Charge.

— No. 41. —

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, Lower Provinces, to the Secretary to the Government of Bengal (No. 70); dated 17 March 1863.

I AM directed by the Board of Revenue to forward herewith a copy of a letter from the Solicitor to Government, No. 864, dated the 27th February, with the forms of title-deeds of purchase of waste lands, and the Advocate General's opinion on a question connected therewith, in original.

2. The draft deeds first submitted were returned to the Solicitor for revision. Among other points, the Board requested that officer to substitute the designation of the local officer for that of the Lieutenant Governor.

3. It will be seen from the Advocate General's opinion that he does not consider collectors of districts competent to sign the deeds on behalf of the Secretary of State.

4. The Board have prepared a circular, for issue to local officers with the forms, some purchasers of lands having urgently demanded their title-deeds; but they do not wish to enjoin so novel a practice as that of sending deeds for the Lieutenant Governor's signature without bringing the matter to his Honor's notice. It appears to them open to question whether the wording of the Act of Parliament is not such as empowers a collector to sign such deeds on a general order of the Lieutenant Governor authorising him to do so.

5. Return of the enclosures is requested.

From *F. C. Sandes*, Esq., Solicitor to Government, to *H. L. Dampier*, Esq., Secretary to the Board of Revenue (No. 864); dated 27 February 1863.

With reference to your letter, No. 27, dated the 6th instant, I have the honour to forward herewith five forms for the grant of waste lands, in lieu of those previously sent.

No. 1 is for the sale of waste lands, where the consideration-money is paid in full at the time of sale. You will observe that in the latter part of this form a clause has been added, embodying Rule 18 as far as that can be done.

No. 1A is merely the same as No. 1, but there is variation to meet the case of a claim to right of proprietorship, occupancy, or use in any parts of the lands being established by a third party, and the sale is made with the special reservation of such right, as required by Rule 12.

No. 2 is a form of security to be endorsed on No. 1 in, cases where the whole purchase-money is not paid at the time of sale, but is intended to be secured as provided by Rule 15.

No. 3 is for the redemption of land revenue.

No. 4 is to be endorsed on No. 3, in cases where the whole commutation-money is not paid at the time of redemption, but is intended to be secured.

2. I also send herewith a copy of the Advocate General's opinion as to power of the collectors of districts to execute those deeds on behalf of the Secretary of State.

3. You will observe that he considers they must be signed by the Lieutenant Governor of Bengal.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1395); dated 6 April 1863.

In reply to your letter, No. 70, dated the 17th ultimo, I am directed to return the forms of title-deeds of purchase of waste lands therein enclosed, and to request that the Board will have them re-drawn, with reference to the instructions contained in paragraph 7 of Orders, No. 377 T, dated 30th August 1862.

2. The deed (Form No. 1) does not specially transfer rights of forest, pasturage, mines, and fisheries, though these are possibly implied in the vague term, "all benefits and advantages thereto belonging." There is, further, no reservation of towing-paths or use of water, as required by paragraph 12 of the Resolution of the 17th October 1861.

3. There is not, in his Honor's opinion, the least necessity for having these deeds drawn in the name of the Lieutenant Governor, or otherwise than such deeds are usually drawn in the Mofussil when Government property is sold to private persons. Without questioning the learned Advocate General's view of the law, it will be enough if these deeds or grants are drawn out in the name of the Government, and signed by the Collector, as already directed.

— No. 42. —

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Junior Secretary to the Government of Bengal (No. 92); dated 9 April 1863.

Referring to paragraph 4 of your predecessor's letter, No. 377T, dated 30th August last, I am directed by the Board of Revenue to report that, with the exception of Darjeeling, there are no lands in any district, other than those to be reserved under Rule 22, which, from their vicinity to stations or other peculiar local circumstances, it may be desirable to dispose of in smaller lots than 3,000 acres.

2. The Superintendent of Darjeeling reports that most of the lands near the station have already been disposed of; but some land, which has been reserved out of which to select a site for barracks, will become available as soon as the site is actually fixed, and that the land which will then become available may be sold in small lots for building.

3. The

3. The Commissioner of Bhaugulpore, in reply to the Board's call, has referred to a letter which he addressed to Government, under date the 1st September last, No. C., and which refers to the Sonthal Pergunnahs.

4. Referring to paragraph 14 of your letter, the Board regret that they are still unable, in consequence of misapprehensions on the part of local officers, to submit the general report, therein called for, on the extent of the arrangements entered into under the Resolution of the Supreme Government dated the 17th October 1861.

— No. 43. —

From Colonel *H. L. Thuillier*, Surveyor General of India, to the Secretary to the Government of Bengal (No. 19); dated 12 March 1863.

Adverting to the request contained in your letter No. 2,680, of the 6th November last, and referred to in your No. 799 of the 20th ultimo, to be furnished with an estimate of the cost per acre to be charged to purchasers for the survey of allotments of waste lands, I have now the honour of reporting, for the information of Government, that from the very little already done at Darjeeling by the single assistant employed there, I find considerable difficulty in fixing a standard charge for desultory and scattered measurements on account of applications for waste lands.

2. The actual cost of the work performed at Darjeeling last year is not easily arrived at, as many items of expense were incurred of which this office has no cognizance, being defrayed by the Superintendent or by the planters themselves. Moreover, the survey executed comprehended a bare skeleton of external limits only, without defining all the features of the ground; and in many instances it has been since discovered that separate proprietary rights exist within the tracts of waste so measured and marked off, especially in the Terai, where numerous old jotes exist, the areas of which must be ascertained before purchases of the balance or available waste land can be allowed or effected.

3. The assistant-surveyor now deputed to Darjeeling has commenced on this work, but, before completion, it is difficult to say precisely what the additional cost may be. This officer has submitted a rough estimate of the expense, based on what he has himself done, which is very little indeed; and, taking into account all charges, including wear and tear of instruments and tents, with stationery, &c., but exclusive of jungle-cutting or clearing of the boundary lines, I find that an average rate of six annas per acre will suffice to protect the Government from loss.

4. The cost of surveying small grants may be greater than for larger areas. The charge of six annas might therefore be limited to grants of 1,000 acres, and four annas above that area. The actual cost cannot be the same in all cases, and in all districts, over every description of ground; but it is desirable to fix a general rate, which may be fair to the public, and at the same time cover the outlay. The nature of the work is both difficult and harassing, and cannot, of course, be compared with our general operations, conducted on an uniform system by large establishments. The surveyors employed are badly paid. Looking, therefore, to the demand and the supply for this particular sort of European agency, and qualifications which are difficult to meet with, I am of opinion that the expense to Government must increase, and therefore it does not appear to me feasible at present to fix a lower rate than six annas per acre for all grants up to 1,000 acres.

5. If it is desired by Government to charge the absolute expense only to applicants, this must, I submit, be subject to future adjustment when the whole of the work in a district is completed, or we have had more experience in this particular description of work.

6. I trust the information now furnished may be sufficient for immediate purposes. The subject might be reopened after more experience has been obtained from the results of the several assistant-surveyors' deputation in different districts.

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1282); dated 27 March 1863.

I AM directed to forward herewith a copy of the correspondence noted in the margin, and, with reference to the cost per acre to be charged to purchasers for the survey of allotments of waste land, to request that the Board will adopt the rate fixed by Colonel Thuillier—viz., six annas per acre for grants of 1,000 acres, and four annas for grants above that area.

Government to Surveyor General of India, No. 2680, dated 6th November last.

Surveyor General of India to Government, No. 19, dated 12th instant.

2. I am to state that this charge is to represent the entire cost of survey, except boundary clearing.

— No. 44. —

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1365); dated 1 April 1863.

I AM directed to request the attention of the Board of Revenue to the Act for the adjudication of claims to waste lands (No. XXIII. of 1863), having been published in the Government Gazette of the 21st ultimo.

2. It will be observed that, in order to entitle purchasers to the benefit of the procedure prescribed by the Act, and to free them from all liability to future claims, it is necessary that the period named in the advertisement should not be less than three months. Collectors should be directed on no account to fix a longer period than three months, unless specially in any particular case they are instructed to do so by the Board. It is not likely that any such case will arise.

3. Although not provided for in the Act, it is, no doubt, intended that if no claim or objection be preferred under the first section within the period mentioned in the advertisement, such period being not less than three months, the Collector should proceed with the sale precisely in the same way as if a claim or objection had been made and disallowed.

4. Nothing short of a claim to proprietary right in the land is a claim which, if well founded, should of itself operate to stop a sale. Claims of occupancy or user, if proved, may be met, and will probably, in most cases, be met by selling the land, subject to condition or reservation. But if objections be taken to the sale, on the ground that it will interfere with the due exercise of such claims of occupancy or user, the question whether such objection ought to operate as a bar to sale, subject to condition or reservation, is a question for the Collector to decide under Section 4 of the Act. Collectors, however, in deciding such questions, should take care that no unnecessary obstruction is thrown in the way of the free disposal of waste lands belonging to the State, and that no such objection be allowed to stop a sale, unless it be clearly shown that the interests of the objectors will be materially and injuriously affected by the transfer of the land from the Government to a private purchaser. Collectors should also be instructed to facilitate compromise between intending purchasers and objectors of this class.

5. I am directed to request that the Board will report whether in any and, if so, in what districts it is necessary that courts should be constituted under Section 7 of the Act, and how in each instance the court should be composed. In non-regulation districts, when the Deputy Commissioner is both judge and collector, it will probably be convenient, as a general rule, that the original inquiry should be made by the Assistant Commissioner having the powers of a deputy-collector, and that the Deputy Commissioner should be one of the persons of whom the court is to be composed. It is not necessary that the other members of the court should be persons in the service of the Government, and it is desirable that unofficial persons should be associated with the judge of the district for the purpose.

6. When lands have already been advertised for sale under the Rules of the 30th August 1862, the period named in the advertisement being less than three months,

months, it seems necessary that a new advertisement should be issued in conformity with the Act.

7. The Lieutenant Governor desires me to request that the Board will prepare and issue the forms of notices, &c. required by the Act.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, Lower Provinces, to the Secretary to the Government of Bengal (No. 95) ; dated 10 April 1863.

I AM directed by the Board of Revenue to acknowledge the receipt of your letter No. 1,365, dated the 1st April, calling the Board's attention to Act XXIII. of 1863, published in the Gazette of the 21st March, for the adjudication of claims to waste lands.

2. Referring to para. 5 of your letter, it appears to the Board that the preliminary inquiry required by sect. 1 of the law cannot be delegated to any officer below the chief revenue authority of the district. That section seems to confine the power of conducting the inquiry to the collector of the district, or other officer in that position. If so, under the provision at the end of sect. 7, the Collector or Deputy Commissioner can in no district be a member of the special court.

3. Further, sect. 10 bars the Deputy Commissioner, as being presiding officer of the principal civil court, from appearing as defendant on the part of Government before the special court, although he may have conducted the preliminary inquiry, and thus have incapacitated himself from being a judge of the special court.

4. The Board observe that the Act makes no provision for funding the proceeds of sales, which, it was stated in the Supreme Government Resolution of the 17th October 1861, must be provided by law. Nor are they aware that any specific instructions on this subject have been issued to the local officers.

5. A question has arisen on para. 6 of your letter, whether, in cases for which one month's notice has already been issued, it will be necessary to issue a fresh three months' notice, commencing from the date of issue; that is, whether the period during which the one month's notice has been current is to count as nothing? Mr. Grote is of opinion that that period may be taken into consideration; but his colleagues are of opinion that there must be a fresh three months' notice, commencing from the date of issue.

6. The Board beg to be favoured with the early communication of the views of Government on the above points, to enable them to issue instructions for the guidance of local officers.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 1582); dated 17 April 1863.

I AM directed to acknowledge the receipt of your letter No. 95, dated the 10th instant, and, in reply, to state that the Lieutenant Governor cannot concur with the Board in the opinion expressed in para. 2, to the effect that Government is not competent to delegate the duty of making the preliminary inquiry under sect. 1 of Act XXIII. of 1863 to any officer below the rank of the chief revenue authority of the district. The Board do not correctly quote the words of the section ; it does not say, "the collector of the district, or other officer in that position, but it says, "or other officer performing the duties of a collector of land revenue in such district." The difference is very material. The Collector may clearly make over the portion of his duties relating to the preliminary inquiry under sect. 1 to any of his subordinates exercising the powers of a deputy-collector* in the district.

2. This view of the case also disposes of the difficulty suggested in your 3d paragraph.

* Section 20 Regulation 9 of 1863.

3. The Act, as the Board points out, does not provide for the finding of the sale-proceeds of waste lands, and the Government of India has this day been addressed on the subject.

4. With reference to paragraph 5, the Lieutenant-Governor agrees with the majority of the Board. To make a sale valid under the Act, the advertisement must be issued under the Act, and the full three months allowed in addition to any previous notice. The Act has no provision allowing for such previous notice.

— No. 45. —

From the Honourable *A. Eden*, Secretary to the Government of Bengal to the Secretary to the Government of India, Home Department (No. 1583); dated 17 April 1863.

* Revenue No. 14, dated 9 July 1862.

With reference to para. 75 of the Secretary of State's Despatch,* relative to the sale of waste lands and the redemption of existing land revenue, I am directed to solicit the orders of his Honor the President in Council as to the funding of the sale-proceeds.

2. Act XXIII of 1863, it will be perceived, makes no such provision.

— No. 46. —

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 41); dated 20 February 1863.

Dated 10 Oct. last, No. 2333.
Dated 26 Nov. last, No. 3012.
Dated 22 Jan. last, No. 386.

In reply to the letters noted on the margin, I am directed by the Board of Revenue to state that in the districts of the Burdwan, Chittagong, Cuttack, Patna, and Rajshahye Divisions there are no unassessed waste lands which require to be reserved for Government purposes.

2. In Bhaugulpore the only waste lands are in the Damun-i-koh, within the Sonthal Pergunnahs. The preparation of registers in connexion with this tract was dispensed with by Government Order, dated the 19th June last (No. 793). The Sonthal Pergunnahs are not under the Board's jurisdiction.

3. In the Dacca Division the Superintendent of Cachar reported that he is unable to define the lands to be reserved. He has, however, been directed to lose no time in submitting a list describing the lands in the best manner practicable. The Collector of Sylhet misunderstood the object of the Board's call, and his report is therefore still due.

4. In the Nuddea Division the only lands proposed to be reserved are lots 50 and 54 in the Soonderbuns. A copy of a statement prepared by the Soonderbuns Commissioner, dated the 6th January, is herewith forwarded.

5. From the Commissioner of Assam no return has yet been made to the Board's call.

6. The Commissioner of Chota Nagpore reports that the only districts in which unassessed waste lands exist are Lohardugga and Palamow, which are under survey. The Board have authorised his deferring the compilation of the register of reserved lands till the completion of the survey now in progress.

7. Copy of a statement, dated the 23d January, showing the lands to be reserved in Darjeeling, is herewith forwarded, and the list of lands to be reserved in the districts noted on the margin will be submitted as soon as the reports are received.

Cachar.
Sylhet.
Assam Division.
Chota Nagpore Division.

No. 1.

REGISTER of Waste Lands, the Property of Government, not available for Grants under the Resolution of the Governor General in Council, dated 17th October 1861, and Rules issued by the Board, dated the 14th October 1862, in the Soonderbuns.

1. No. of Plot.	2. Pergunnah, Thannah, or other Subdivision.	3. Mouzah.	4. Boundaries of the Plot.	5. Area in Acres.	6. Reason of Reservation.	7. Orders under which Reserved.	8. REMARKS.
				A. R. P.			
50	In the Subdivision of Baroepore, Thannah Amjharah, Pergunnah Medun Mullo, Zillah 24-Pergunnahs, Soonderbuns.	- -	North, by Mallee Khall; east, by Mutlah River; south, by an imaginary line; west, by ditto, ditto.	644 3 34	The lands being adjacent to the new town of Mutlah.	Government Order, No. 763, dated 24th March 1857.	
54	Ditto - ditto -	- -	North, by Biddeadhuree Nuddee; east, by Mutlah River; south, by Mallee Khall, and a portion of Taldee Khall; west, by Taldee Khall.	5,950 1 26	For the proposed town of Mutlah.		

Soonderbuns Commissioner's Office, 6 January 1863.

(signed) *C. P. Caspersz*, Commissioner of the Soonderbuns.

No. 2.

REGISTER of Waste Lands, the Property of Government, not available for Grants under the Resolution of the Governor General in Council, dated the 17th October 1861, and the Rules issued by the Board, dated the 14th October 1862, in the District of Darjeeling.

1. No. of Plot.	2. Pergunnah, Thannah, or other Subdivision.	3. Mouzah.	4. Boundaries of the Plot.	5. Area in Acres.	6. Reason of Reservation.	7. Orders under which Reserved.	8. REMARKS.
1	Darjeeling, Suddah Thannah.	Jullapahar -	North, General Garstin's land; south, the Saddle; east and west, the public road.	Not measured -	For military purposes.	Orders of Government.	*See* the late Superintendent's letter to Government, No. 1089, dated 10th December 1861.
2	Ditto - ditto -	Sinchal - -	The whole range - -	- ditto - -	- ditto - -	- ditto -	- ditto.
3	Ditto - ditto -	Lebong -	The whole spur from Mr. Grant's location to Ging.	- ditto - -	- ditto - -	- ditto -	- ditto.
4	Ditto - ditto -	Dhobijhora -	The ridge of the Dhobijhora Hill.	- ditto - -	- ditto - -	- ditto -	- ditto.
5	Ditto - ditto -	Kursiong -	The land attached to the Kursiong Staging Barracks.	- ditto - -	- ditto - -	- ditto -	- ditto.
6	Ditto - ditto -	A belt of 200 yards wide above the new cart road from Kursiong to the Saddle.		- - -	For building sites	- ditto -	- ditto.
7	Ditto - ditto -	ditto - ditto	Below the road at Kursiong.	- - -	Bazaar, Police Chowkey, and Post Office.	- ditto -	- ditto.
8	Patterghata, Thannah Mattigurha.	Besserbatty -	- - - -	Not measured -	For encamping ground, and Bazaar.	- ditto -	- ditto.
9	Darjeeling, Sudder Thannah.	Darjeeling Station.	Surveyed as per map -	A. R. P. 20 2 16	Sapper Lines -	- ditto -	- ditto.
10	Ditto - ditto -	Below ditto -	- - - -	Not surveyed -	Native burial ground.	- ditto -	- ditto.
11	Ditto - ditto -	Runjeet -	- - - - -	ditto - - -	Police Chowkey	- ditto -	- ditto.

REGISTER of Waste Lands, the Property of Government, not available for Grants, &c., District of Darjeeling—*continued.*

1. No. of Plot.	2. Pergunnah, Thannah, or other Subdivision.	3. Mouzah.	4. Boundaries of the Plot.	5. Area in Acres.	6. Reason of Reservation.	7. Orders under which Reserved.	8. REMARKS.
12	Darjeeling, Sudder Thannah.	Tuckdan -	The mineral spring location.	Not surveyed -	Military purposes	Orders of Government.	*See* the late Superintendent's letter to Government, No. 1089, dated 10th December 1861.
13	Ditto - ditto -	Selimpore -	The ridge at Selimpore on the new cart road between Kursiong and the plains.	- ditto - -	For building sites	- ditto -	Ditto. Some sites have already been assigned.
14	Ditto - ditto -	A belt of 200 yards wide on the upper side of the proposed road, along the Nagri side of the Balasun, from an elevation of 3,000 feet, to the Saddle.		- ditto - -	- ditto - -	- ditto -	*See* the letter to Government as above.
15	Ditto - ditto -	The Goong Range, above the line of cultivation.		- ditto - -	Building sites, building materials, and firewood.	- ditto -	- ditto.
16	Ditto - ditto -	The ridge of the Nagri spur, near the Police Chowkey.		Not measured -	Military purposes	- ditto -	*See* letter to Government above referred to.
17	- - -	The whole Terai is for the present reserved from the operation of the Fee-simple Rules.		- - -	- - -	-	*See* Board's letter No. 61, of 15th October 1862, and the Superintendent's letter No. 1,372, dated 9th December 1862.
18	Ditto - ditto -	The right bank of the Teesta, on the east, from the junction of the Rungnoo River with the Teesta, and along the Rungnoo River to the summit of Sinchal, on the north; on the west by a line drawn from the summit of Sinchal to a mile to the westward of Rishap, through the top of Mount Sitong to Goramara and the plains; on the south by the commencement of the Terai.		- ditto - -	For Government Chinchona Plantation.	- ditto.	
19	Ditto - ditto -	West of the Darjeeling Station.	North, the Hospital Ravine; south, the Waterfall Ravine; east, the Victoria Road, the Jail Compound, and Mr. Stoelkie's land; west, the junction of the Hospital and Waterfall Ravines.	150 acres more or less, not surveyed yet.	The extension of the Jail Compound.		

Superintendent's Office, Darjeeling, 23 January 1863.

(signed) *H. C. Wake,*
Superintendent of Darjeeling.

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, Lower Provinces, to the Secretary to the Government of Bengal (No. 103); dated 14 April 1863.

IN continuation of my letter No. 41, dated 20th February last, and with reference to the last paragraph, I am directed by the Board of Revenue to submit a further report on the reservation from sale of lands not available for grants under the Waste Lands Rules.

2. Although it was stated in my letter that there were no lands to be reserved in the Burdwan Division, the Board find, on further communication with the Commissioner, that there is a plot in the Burdwan District which comes within the category of lands the reservation of which is desirable. An extract from his return, dated 10th December 1862, is hereto appended.

3. The Commissioner of Dacca reports that there are no lands to be reserved in Sylhet or Cachar.

4. A copy of the Assam Commissioner's Report, No. 51C, dated 4th March, is appended. It will be seen that there are no lands to be reserved in the Gowalparah

Gowalparah District. The Garrow Hills are the only portion of that district which can be regarded as belonging to Government, but interference with that tract in any shape is deprecated on political grounds. No information of any value is available in connection with the Cherra Hills, and local inspection is out of the question in the present unsettled state of affairs.

5. In regard to the other districts comprised in Assam, the return submitted by Major Agnew is unsatisfactory from the absence of definition of the plots to be reserved. The Deputy Commissioner of Durrung, it will be observed, is unwilling to reserve the timber lands, acknowledged to be valuable, which are scattered over the district, especially the northern half of it; but the orders on the subject are peremptory, and a further return will be called for of such plots, defined as well as available information will allow, and the Deputy Commissioner will be cautioned that he must on no account alienate any tract on which valuable timber grows without reference to the Commissioner in each case as before directed.

6. The Deputy Commissioner of Luckimpore has entered in his return several tracts of land, which he proposes to reserve "for the settlement of immigration." It appears to the Board unnecessary to reserve lands for this purpose, as it is the interest of purchasers of waste lands to attract resident cultivators. Items 21, 22, 25, 26, 28 to 38 of the local statement are therefore omitted in the copy of the statement herewith forwarded.

7. With reference to the imperfect character of the Assam List, the Board recommend that it be published with a note, stating that, those districts not being well known, it is impossible to define accurately what lands are required to be reserved for Government purposes, and that therefore, in addition to the lands included in the list, the Government reserves to itself the right of withholding from sale any tract which it may deem proper to reserve at any time before the advertisement of sale is issued on an application for a grant.

From Major *W. Agnew*, Officiating Commissioner of Assam, to the Secretary to the Board of Revenue, Lower Provinces (No. 51c.); dated 4 March 1863.

In accordance with the instructions conveyed in the Board of Revenue's circulars and letters marginally noted, I have the honour to submit copy of the registers of waste lands in Zillahs Nowgong, Seebsagor, Luckimpore, Kamroop, and Durrung, not available for grants under the resolution of the Governor General in Council of the 17th of October 1862, and the rules of the Lieutenant Governor of Bengal dated the 30th of August 1862.

No. 139, dated 1 December 1862.
No. 277, dated 19 December 1862.
No. 11, dated 10 January 1863.
Circular, No. 25, dated 13 March 1862.
Circular, No. 65A, dated 6 November 1862.

In Gowalparah there are no lands, the property of Government, that could be reserved, as any interference of the kind with the Garrow Hills, the only portion of the district Government can lay any claim to, would be highly injudicious. As regards the Cherra Hills, Captain Morton says, "with the scanty information to be found in my office, it will be impossible for me to prepare the registers laid down by the Board's circular, No. 25, dated 13th March last, until I have had an opportunity of inspecting the available waste lands in this district. This opportunity I have not yet had, and indeed, cannot expect to have during the continuation of the Jynteah rebellion."

The only lands entered in the Durrung list are, it will be observed, three small plots in the vicinity of Bishnath, Tezpore, and Mungledye, reserved for station purposes, the Deputy Commissioner remarking with regard to forest lands as follows: "Valuable timbers are more or less scattered over the whole country forming the Northern half of the district and to reserve them all would be almost tantamount to excluding this district from the benefits of the rules; where there is an abundance of valuable timber on any lot the upset price should be raised. The impenetrability of the forest renders it impossible to hazard a guess at what that limit should be, but care should be taken to ascertain before the sale." Captain Lamb, however, will be instructed to attend to the Board's orders, and state roughly what forest land should be reserved.

In regard to Seebsagor, Mr. Beckett remarks, "you will observe that no land on which valuable timber stands has been entered in this list, for, as reported in my letter of the 17th instant, there are no such lands in the district."

I have appended the required certificate to the register, but have to remark that the list is a very imperfect one, and must remain so until the survey of the province is completed.

Burdwan Division.

Register of Waste Lands, the Property of Government, not available for Grants under the Resolution of the Governor General in Council, dated 17th October 1861, and the Rules issued by the Board, dated 14th October 1862, forwarded to the Board's Office, with reference to their Circular, No. 65 A, dated the 6th November 1862.

No. of Plot. 1.	Pergunnah, Thannah, or other Subdivision. 2.	Mouzah. 3.	Boundaries of the Plot. 4.	Area in Acres. 5.	Reason of Reservation. 6.	Orders under which reserved. 7.	REMARKS. 8.
1	Pergunnah, Selampore; Thannah, Aooshgram, in Burdwan.	Goopeenath-poree (lot).	North, by public road in Foolzoree and Mamrah; east, by Khalpookhorea Village; south, by Grand Trunk Road; west, by public road near Jhowpahara.	*A. r. p.* 1,644 2 20	This land forms the subject of litigation between the Government and the Bengal Coal Company.	–	A civil suit between Government and the Zemindar Bengal Coal Company, for the jungle in question, was instituted in the Beerbhoom Judge's Court, and a decree in favour of Government was given. There is, however, every probability of an appeal from the judge's decision being instituted, consequently until final disposal of case, the land is not available for grants.

Register of Waste Lands, the Property of Government, not available for Grants under the Resolution of the Governor General in Council of 17th October 1862, and the Rules issued by the Lieutenant Governor, dated 30th August 1862, in the Division of Assam.

Number of Plot.	Pergunnah, Thannah, or other Subdivision.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.	Orders under which Reserved.
NOWGONG:						
1. On the River Dhunisiri.	Mehal Morunjee -	Moorzah Neerz Morunjee.	Bounded in the East by Rengua Naga Hills; on the West, by the Kulliani River; on the North, by Morunjee; on the South, by Meeker Hills.	3,000	For posts, planks, &c., for Government use.	Deputy Commissioner of Revenue.
2. On the Kulliani River.	Ditto - - -	Ditto - -	Bounded on the East by the Kulliani River; on the West by Booka Khat; on the North by Nemsli Ghur Tea Plantations; on the South by Harbecha Mouzah.	3,000	Ditto - -	Ditto.
3. On the River Dipholoo.	Ditto - - -	Ditto - -	Bounded on the East by Bagaree Purbur; on the West by Chikali; on the North by the River Burrumpooter; on the South by Hills.	4,000	Ditto - -	Ditto.
4. On the River Dijoo.	Mehal Meekirpar -	Mouzah Salanah	Bounded on the East by Kookarakata; on the West by the Chupualah Tea Plantation; on the North by the River Nonai; on the South by Dooar Bamane.	2,000	Ditto - -	Ditto.
5. On the River Nonoi.	Ditto - - -	Mouzah Chuppurnullah.	Bounded on the East by Meekir Hills; on the West by Baleejorce; on the North Chapenullah; on the South by Hills.	2,000	Ditto - -	Ditto.
6. On the River Honnah, Soorsgatteeadu Dheekarroo.	Mehal Jummoo Mookh	Mouzah Sill Dhurumpore.	Bounded on the East by Dooar Dhekarroo; on the West, Honnah Nudee; on the North, Purbut, on the South, Digalphani.	5,000	Ditto - -	Ditto.
7. On the River Jumoonamookh.	Ditto - - -	Najirhaga -	Bounded on the East, Horinah; on the West, Dooar Katiatallee; on the North, Meekir Purbut; on the South, Jumoonamookh.	2,000	Ditto - -	Ditto.
8. On the River Jummoonamath.	Mehal Jummoonamath	Mouzah Neez Dubkar.	Bounded on the East by Nazirhagah; on the West by Beloogoree; on the North by Meekin Purbut; on the South by Kissoree.	2,000	Ditto - -	Ditto.
9. On the River Kapolee.	Ditto - - -	Mouzah Neez Jummoonamookh.	Bounded on the East by Jummoonah; on the West by Chang Chokee; on the North by Neckaree; on the South by Kapolee.	1,000	Ditto - -	Ditto.
10. On the River Kapolee.	Ditto - - -	Mouzah Sat Gow.	Bounded on the East by Rung Khang; on the West by Burthall; on the North by Halodkee Khook; on the South by Rung Khang.	3,000	Ditto - -	Ditto.
1. - -	Mehal Datipan -	Mouzahs, Singanaree, Lowponee, Amori, Lootoomai, and Burthul.	Bounded on the East by Burpanee; on West by Amola Purbut; on the North by Amooree and Lampooree; on the South by Amooree.	7,000	Ditto - -	Ditto.
12. On the River Burpanee.	Mehal Jummoonamookh.	Mouzahs Rung Khang, and Chuppold.	Bounded on the East by Rung Khang; on the West by Burpanee; on the North by Burthal and Rung Khang; on the South by Garrow Purbut.	5,000	Ditto - -	Ditto.

Number of Plot.	Pergunnah, Thannah, or other Subdivision.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.	Orders under which Reserved.
NOWGONG—*continued.*						
On the River Dimal.	Mehal Datipar -	Mouzahs Dhukin, Shohoree, and Amolah Purbut.	Bounded on the East by Burpanee; on the West the boundary of Barogag; on the North by Burpanee; on the South by Amola Purbut.	3,000	For posts, planks, &c., for Government use.	Deputy Commissioner of Revenue.
On the River Amolee.	Ditto - - -	Mouzahs Dhukin, Neeli, and Dhukin Goodhoi.	Bounded on the East by Harlock; on the West the boundary of Mouzah Gooba; on the North by Amolee Nuddee; on the South by Khairain.	3,000	Ditto - -	Ditto.
SEEBSAGUR:						
- - -	Thannahs Seebsagur, Tangonnee, Serokpore, and Koonwarpur.	Seebsagur, Nugur Mehal.	The boundaries of the Seebsagur Nugur Mehal.	The exact number of acres is not known; that will be determined when the district is regularly surveyed.	A portion of the station will be reserved for that purpose.	Deputy Commissioner's Order, dated 21st June 1862.
- - -	Thannahs Golaghat, Tangonies, Madurpotah, and Maw Khan.	Golaghat Mehal	The boundaries of Golaghat Mehal -	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Jorehaut, Tangonies, Hurrunga, and Desoi.	Jorehaut -	Ditto of Jorehaut Mouzah - -	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Joypore, Tangonee, and Dophabar.	Jeypore -	The boundaries of Jeypore Station -	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tangonee and Kowarpore.	Kowarpore -	The boundaries of the Mouzah of Kowarpore.	Ditto - -	In the neighbourhood of the station of Seebsagur.	Ditto.
- - -	Thannahs Tagonee and Khalagong.	Meteka - -	The boundaries of Mouzah Meteka, including the old place of Rungpore.	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tagonee, and Kalagong.	Bongang -	Mouzah Bongang, including the Bhoteepan Tank, its bank and ditch.	Ditto - -	Ditto - -	Ditto.
- - -	Ditto - - -	Saloogoree -	The Bageedoliand Tank, together with its bank and ditch.	Ditto - -	May hereafter be required for Government purposes.	Ditto.
- - -	Tagonee Charing -	Kataleegoan -	Ditto of Goureesagur Tank - -	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tangonee, and Khalagong.	Borpahatlale -	The Jaysagur and Roa Pookree, with their banks and ditches.	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Tangonee and Dhophabar.	Leelakotee -	The place of Ghee Gong, also its moat, &c., also Borkola Bahar.	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tangonee, and Joktallee.	Meej Joktulla	The boundaries of Mouzah Joktulla, including Rajmoo and Mesagurh, tanks, temple, and ditch.	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tangonee, and Singradoe.	Namtee Dale -	The Namtee Dale (temple) and tank, with its banks.	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Golaghat, Tangonee, and Madarpoota.	Ahan Goan Sermatallee.	The boundaries of Ahongong Sermatallee Mouzah.	Ditto - -	In the neighbourhood of the station of Golaghat.	Deputy Commissioner's Order, dated 14th October 1862.
- - -	Thannahs Golaghat, Tangonee, and Mokhawa.	Mokhawa -	The boundaries of Mouzah Mokhawa -	Ditto - -	Ditto - -	Ditto.
- - -	Thannah Seebsagur -	Tangonee Betharree.	The boundaries of Mouzah Betharree	Ditto - -	In the neighbourhood of the station of Seebsagur.	Deputy Commissioner's Order, dated 21st October 1862.
- - -	Thannahs Seebsagur, Tangonee, and Kaloogaon.	Burpatra Dale	The boundaries of Mouzah Burpatra Dale.	The exact number of acres is not known; that will be determined when the district is regularly surveyed.	The land being situated in the neighbourhood of the station of Seebsagur.	Deputy Commissioner's order dated 21st December 1862.
- - -	Thannahs Seebsagur, Tangonee, and Kahmara.	Koowara -	Kooamara - - - - - -	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur, Tangonee, and Hanserah.	Hanserah -	The boundaries of Mouzah Kooamara	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Seebsagur Tangonee, and Cherakpur.	Cherakpur -	The boundaries of Mouzah Cherakpur	Ditto - -	Ditto - -	Ditto.
- - -	Thannahs Jorehaut, Tangonee, and Korunga.	Jorehaut -	The boundaries of Mouzah Jorehaut -	Ditto - -	Ditto - -	Ditto.
LUCKIMPORE:						
- - -	Dinjoy - - -	Teetadenaroo -	East, boundary of Meeree Pathar Mouzah; West, by Messrs. Barry and Ryots' lands; North, Maijan; South, boundary of Lahawal Mouzah.	556	This piece of forest land on which valuable timber is growing, is reserved for Government purposes.	Lieutenant-Governor of Bengal's Notification, dated Silhet, 30th August, 1862.

Number of Plot.	Pergunnah, Thannah, or other Subdivision.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.	Orders under which reserved.
LUCKIMPORE—*continued.*						
2	Chaprie	Chaprie	East, Mekhelahoorooah Sootee; West, Bamoonisootee River; North, Burhampootur River; South, Dibroo River.	2,000	This piece is reserved for thatching grass for Government purposes, and for grazing cattle.	Lieut. Governor Bengal's Notific tion, dated Sylh 30th August 186
3	Ditto	Lalooapottah Chaprie.	East, Nobbanga Sootee of Mekhelahoorooah; West, Mekhelahoorooah; North, confluence of Nobhanga Sootee and Mekeelahoorooah; South, Dibroo River.	11,000	This piece of land is reserved for timber for Government purposes.	Ditto.
4	Jameera	Dibroomookh	East, by Ryots' land; West, Burmapootur; North, Singlee Beel; South, Mohpowaleemara Mouzah.	375	This piece is reserved for grazing cattle.	Ditto.
5	Ditto	Mohpowalee	East, Road; West, Burhampootur River; North, South boundary of Dibroomookh Mouzah; South, Dighala Village.	562	This piece is reserved for timber and for grazing cattle.	Ditto.
6	Ditto	Dighalagao	East, Ryots' land; West, Burhampootur; North, South boundary of Mohapowalee Mouzah; South, boundary of Kamargoo Mouzah.	750	Ditto	Ditto.
7	Ditto	Komargao	East, Ryots' land; West, Burhampootur; North, Digholagoo Mouzah; South, Rowmary.	750	Ditto	Ditto.
8	Suddeea	Upper Suddeea	East, Choonpoora Sootee; West, Baleejan; North, Koondeel; South, Burhampootur River.	10,000	This piece of forest land, on which valuable timber is growing, is reserved for Government purposes.	Ditto.
9	Ditto	Lower Suddeea	East, Koondeelmookh and Diffo; West, Ryots' land; North, Digram Nuddee; South, Koondeel.	15,000	Ditto	Ditto.
10	Saikwah	Upper Saikwah	East, Noa Dihing; West, Saikwah River; South, Dangaree River, North Burhampootur River.	15,000	Ditto	Ditto.
11	Upper Muttock	Hoolungagoree	East, West, and North, Dangoree River; South, Dibroo River.	15,000	This piece is reserved for timber for Government purposes.	Ditto.
12	Namroop	Namroop	East, Naraeolta; West, Jaipore Allee; North, Dibroo; South, Dihing.	14,000	Ditto	Ditto.
13	Tengrie	Tengrie	East, Nambobea Pathar; West, Jaipore Allee; North, Balcemora Pathar; South, Tippling.	10,000	Ditto	Lieut. Goverr of Bengal's N tification, dat Sylhet, th 13thAug.186
14	Tenga Khat	Tenga Khat	East, Laipoolee; West, Jaoreegooree; North, Sessa; South, Tengraye.	9,000	Ditto	Ditto.
15	Madar Khat	Madar Khat	East, Digholee Hoala; West, Katoneepar Shustro; North, Ghogora; South, Dihing.	10,000	Ditto	Ditto.
16	Ditto	Ditto	East, Katoneepar Shustro; West, boundary of Jokaye; North, Tipomiah; South, Romaye.	5,000	Ditto	Ditto.
17	Dinjoy	Dinjoy	East, Dinjan Mehal; West, Meereepathur; North, Dibroo River; South, Digholee Dinjay Pathur.	5,000	Ditto	Ditto.
18	Dinjan	Dinjan	East, boundary of Rungagorah Mouzah; West, Dinjay Mouzah; North, Dibro; South, Rungagorah Allee.	5,000	Ditto	Ditto.
19	Bhodhara	Bhodhara	East, Layepoolee; West, Chubwa Garden; North, Poolanga; South, Ghurbundee.	4,000	Ditto	Ditto.
20	Rungagurah	Rungagurah	East, Gaijan; West, Hola; South, Bujaltulee; North, Dibroo.	400	Ditto	Ditto.

Number of Plot.	Pergunnah, Thannah, or other Subdivision.	Mouzah.	Boundaries of the Plot.	Area in Acres.	Reason of Reservation.	Orders under which Reserved.
LUCKIMPORE—*continued.*						
23	Jamurah	Jamurah	East, Ryots' land; West, Burhampootur; North, Patrogoo; South, Poothawao Khaoirkoor.	1,000	This piece of forest land, on which timber is growing, is reserved for Government purposes.	Lieut. Governor of Bengal's Notification dated Sylhet, 13th August 1862.
24	Jokye	Kotoha	East, Jokye Mouzah; West, Janaf Balaye Beel; North, Sessa River; South, Dihing.	500	Ditto	Ditto.
27	Suddia	Suddia	East, Dikrong; West, Dikrong and Dibaugmookh; North, Dibang; South, Barbil.	15,000	This piece of forest land, on which valuable timber is growing, is reserved for Government purposes.	Ditto.
39	Ckeydwar	Narainpoor	Loohit River, on all four sides	3,000	This plot is reserved for the growth of firewood and valuable timber.	—
40	Ditto	Bangphang and Katabarree.	East, Peesolah; West, Sessah; North, Ghur; South, Hisingobhat Village.	7,000	Ditto	—
41	Ditto	Guhpore	East, rice field of Ghupoor; West, rice field of Kofungpore; North, Ghur; South, Looheet.	8,000	Ditto	—
42	Ditto	Gameere	East, Kareegang; West, Ryots; North, Ghur; South, Allee.	6,000	Ditto	—
43	Ditto	Ditto	East, Kharay Mookh; West, Booray Mookh; North, Bottle Ghur; South, Looheet.	5,000	Ditto	—
44	Ditto	Kalabarree	East, Mornady; West, Hoobenghy; North, Allee; South, Kharay.	2,000	Ditto	—
45	Ditto	Ditto	East, Borkoos Village; West, Kookoorah Sooah; North, Forest; South, Village.	2,000	Ditto	—
KAMROOP:				Supposed Area.		
1	Desh Beltullah	Timber Mehal	Unable to state the boundaries till properly surveyed by competent compass.	4,360	For the purpose of supplying Government with timber.	Government Letter, No. 585T, dated 18th Oct. 1862, to Board of Revenue. Board's Memorandum, No. 128, dated 30th Oct. 1862. Commissioner's Memorandum, No. 112, dated 5th Dec. 1862.
2	Dooar Bar Dooar	Ditto		4,629*		
3	Ditto Bholagong with Kharija Bhoolagong.	Ditto		3,306		
4	Dooar Puntan	Ditto		1,717		
5	Ditto Chaygong with Kharija Chaygong.	Ditto		2,642		
6	Dooar Bogri	Ditto		6,611		
7	Ditto Bungong	Ditto		5,287		
8	Ditto Bako	Ditto		1,585		
9	Ditto Lookee	Ditto		3,571		
10	Ditto Moirapore	Ditto		3,306		
11	Ditto Doomaroot	Ditto		4,629		
12	Ditto Ranee	Ditto		1,454		
13	Ditto Panbaree	Ditto		3,066		
DURRUNG:				Acres.		
1	Nowdoar, Thannah Tezpore.	Bishnath	Bounded on the East, by Temple of Bishnath and village; on the West, by shops of Kyahs; on the North, by Motuk village; on the South, by River Burhampooter.	72	For the purpose of Government Station.	Commissioner of Revenue's Letter, No. 643 of 18th March. 1861.
1	Chardoar, Thannah Tezpore.	Mohabhoyrub	Bounded on the East, by Gorsoa Gaw; on the South, by Bhyrnbee River; on the West, by Shookdub Beel; on the North, by Mahabhoyrub Dewal.	157	Ditto Tezpore	—
	Durrung, Thannah Durrung.	Chapai	Bounded on the East, and South, by Marasootee, of Burhampootur River; on the North, by Kya Gola, of Rutton Chand Oswal; on the West by Mungledye River.	42	Ditto Subdivision of Murgledye.	—

* This is the remaining portion of the Bar Door Timber Mehal, the greater part of which has been made over to the Lower Assam Tea Company.

I do hereby certify that this Register contains all lands in the Province of Assam, which I would recommend for reservation, or which are reserved under the Rules for the Sale of Waste Land, dated 30th August 1862.

(signed) *W. Agnew*,
Officiating Commissioner of Assam.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 2,108) ; dated the 22d May 1863.

I AM directed to acknowledge the receipt of your letter, No. 103, dated the 17th ultimo, with its enclosures, submitting a further report from the Board on the reservation from sale of waste lands, under Rule 21 of the new rules, and in reply to state that it will be sufficient for all purposes at present to reserve the lands specified in the list forwarded by the Commissioner of Assam.

2. The Lieutenant Governor is of opinion that the addition of the note proposed by the Board in your final paragraph is open to serious objection, as introducing an element of uncertainty into the system under which waste lands are now offered for sale. It is always open to the local authorities to add to the list any valuable timber forest, or other lands, which should, in their opinion, be reserved by Government.

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 232) ; dated 21 July 1863.

IN continuation of the Board's letter, No. 103, dated 17th April last, I am directed by the Board of Revenue to forward herewith copies of two supplementary statements of lands to be reserved in Assam, in the districts of Durrung and Nowgong.

2. The Nowgong statement before submitted was defective, insomuch as it excluded the waste tracts to be reserved in the Golahghat subdivision, amongst which is the Nambar Forest.

From Major *W. Agnew*, Officiating Commissioner of Assam, to the Secretary to the Board of Revenue, Lower Provinces (No. 51); dated 6 July 1863.

Mem. No. 56, dated 17 April 1863. Mem. No. 82, dated 6 June 1863.

ADVERTING to the Board's memoranda, numbers, and dates as per margin, I have the honour to forward herewith a statement showing generally the lands which I am of opinion should be reserved in the Durrung District.

2. Owing to the forests in the Nowdoar waste lands not having been explored, it is impossible to define, at present, the boundaries of the tract; but this can be left for future adjustment by the Deputy Commissioner of the District, on the country in that vicinity becoming better known.

REGISTER of WASTE LANDS, the Property of Government, not available for GRANT under the Resolution of the Governor General in Council, dated 17th October 1861, and the Rules issued by the Board of Revenue, dated 14th October 1862, in the District of Nowgong, Assam Subdivision, Golaghat.

Number of Plot. 1.	Pergunnah, Thannah, or other Subdivision. 2.	Mouzah. 3.	Boundaries of the Plot. 4.	Area in Acres. 5.	Reasons of Reservation. 6.	Orders under which Reserved. 7.	Remarks. 8.
No. 1. Forest south of Golaghat.	Mehal Morungee.	Sakalee -	East, Dayang River; West, Reugmah Naga Hills; North, Mr. R. Spear's Grant, and the Junction of Dayang and Dhunseeree Rivers ; South, Deemapoor.	About 500 square miles, or 320,000 acres.	For posts, planks, &c. on account of Government.	Orders of Government.	
No. 2. On the Dhunseeree River.	Ditto	Kullianee -	East, Reugmah Nagah Hills; West, Kullianee River; North, Morkaotee; South, Meekir Hills.	3,000 - -	- ditto - -	By order of Commissioner of Revenue.	
No. 3. On the Kullianee River.	Ditto -	- ditto -	East, Kullianee River; West, Bakah Khat; North, Noomollee Gursee Grant; South, Harbesah Meekirs Mouzah.	3,000 - -	- ditto - -	- ditto.	

Camp Khoontai, 29 June 1863.

(signed) *J. Thornton*,
Extra Assistant Commissioner.

REGISTER of WASTE LANDS not available for GRANT in the District of *Durrung*.

Numbers of Plot.	Pergunnah, Thannah, or other Sub-division.	Mouzahs.	Boundaries of the Plot.	Area in Acres.	Reasons for Reservation.	Orders, under which Reserved.	Remarks.
1.	Dowar Khalling.	Thapereebaree, and Shekker.	North, Bhootan Hills; South, Road from Gurkhullah to Beegbaree; East, boundary of Doar Bareegoma; West, Bur Nuddee.	Those portions of Mouzahs Thapereebaree and Shekker, situated in Dowar-Khalling, on which Saul timber grows.	Because the tract contains valuable timber, which is required for Government purposes.	Lieutenant Governor of Bengal's, No. , dated 30th August, 1863.	Some portions of the land within these boundaries, have no actual timber in them, and if any of these are applied for, there is no objection to their being granted.
2.	Chardowar	- -	North, Bhootan Hills; South, a straight line running from Monayegoan to Baleeparah, and in the Bhorobe River, as marked in the district map of Durrung; East, in the Bhorobe River; West, Dhunseeree River.	That portion of the Chardower Forest, on which the Caoutchouc tree grows to any extent, as well as the portion of Saul Forest, which lies on the right bank of Bhorobe River, north of Baleeparah, and near the Suffala Hills.	Because this tract contains Caoutchouc-producing tree, as also Saul Forest.	- - -	Ditto - - ditto.
3.	Nowdoar	-	This Doar is entirely unexplored; and, therefore, no boundaries can be given.	Any part of Nowdoar, where valuable timber grows in any abundance.	—		

Revenue Commissioner's Office, Assam, 6 July 1863.

(signed) *W. Agnew*,
Officiating Commissioner of Revenue.

— No. 47. —

From *H. L. Dampier*, Esq., Secretary to the Board of Revenue, Lower Provinces, to the Junior Secretary to the Government of Bengal (No. 104); dated 14 April 1863.

I AM directed by the Board of Revenue to acknowledge the receipt of your letter, No. 1134, dated 19th March, calling attention to your office letter, No. 582, dated 28th March 1859, and particularly to paragraphs 30 and 31 of Mr. Young's letter to Mr. Allen.

2. The orders in question related to the lime quarries in the Cossyah and Jynteah Hills (paragraph 16), the coal mines (paragraphs 23 and 24), and waste lands (paragraphs 30 and 31).

3. The lime quarries have formed the subject of protracted correspondence, which has so recently been before Government, that it is unnecessary to advert further to the subject.

4. With regard to the coal mines no report relating to those at Cherra Poonjee has been received; but, as to those at Lakadong, it was reported that Mr. Moran declined to renew his lease, upon which tenders were invited, apparently without success, for no further report on the subject has been made to the Board.

5. The waste lands formed the subject of the correspondence noted in the margin; nothing can be done until these lands have been surveyed. The Board have had no previous intimation that a topographical survey was in contemplation. These arrangements have apparently been made in direct communication with the Surveyor-general. The Board think it very advisable that the survey and demarcation of the waste lands should be carried out simultaneously with the proposed topographical survey.

To Government, dated 15 June 1860, No. 328.
From Government, dated 5th July 1860, No. 1671.

6. Before calling for any further report from the local officers on the subject of these waste lands, or of the coal mines, the Board desire me to observe that by Government Order, No. 891A, dated 2d April 1862, this territory was excluded

cluded from their administration, and placed under a special jurisdiction. No orders reviving the Board's authority have since been communicated to them. They think it possible that the late instructions regarding the leasing of lime quarries, and similar matters, may have been addressed to them without advertence to these special arrangements which exist.

From the Honourable *A. Eden*, Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 2315); dated 12 June 1863.

I AM directed to acknowledge the receipt of your letter, No. 104, dated the 14th April last, and, with reference to the concluding paragraph, to state that the jurisdiction of the Board in the Cossyah and Jynteah Hills was only temporarily suspended under orders of 2d April 1862, No. 891A, when General St. G. D. Showers was appointed Commissioner under Act XI. of 1857; but when that officer's functions ceased, and the civil control of the Cossyah Hills was again placed in the hands of the Commissioner of Assam by orders of 1st July 1862, No. 15T (a copy of which is herewith forwarded), it was intended that the Board's authority should revive. The Lieutenant Governor now directs that the Board will resume their authority.

2. Regarding the lime quarries, I am to state that as the matter has lately been separately considered, and has formed the subject of special correspondence, no further orders seem at present to be necessary; but as to the leasing of the Cherra and Lakadong coal mines, the Board are requested to be good enough to obtain a report from the Commissioner of Assam, and submit it for the information of Government.

3. With reference to the fifth paragraph of your letter, I am to state that the organization of a regular party for the survey of waste lands in the Cossyah and Jynteah Hills during the season of 1860-61, advocated by Major Rowlatt and supported by the Commissioner of Assam, having been deemed impracticable, owing to the surveyors being engaged on other pressing work, the question was renewed in July 1861, when Captain Hopkinson, the Commissioner, agreeing with the Deputy Commissioner in charge of the Hills, that an opportunity so favourable for obtaining the long-desired survey would not probably again occur, strongly recommended the measure, urging (at the instigation of Mr. Lane, Chief Civil Assistant, Great Trigonometrical Survey, Assam Longitudinal Series, who had already completed during the previous season the survey of an area of 1,000 square miles of the country, extending from Nungklow to the foot of the Hills at Terriah Ghaut), that in order to its completion a charge of only 1,300 rupees for contingent expenses, and the loan to the Great Trigonometrical Survey Party, then on the Hills, of an additional assistant were all that was necessary.

4. The Surveyor-general having been asked if he could "provide the man and the money," replied, saying, that as so large and important an undertaking as the proposed survey would require a properly organized and equipped party and as Mr. Lane's establishment was not provided with topographers, or means for such detail duties, no properly qualified hands could be detached for the duty. Mr. Lane's time, besides, the Surveyor-general observed, was fully employed in prosecuting the important and legitimate duty of triangulating the Eastern Provinces, which was originally assigned him. In respect to the second point it was stated that no provision for the estimated cost of the proposed survey was made in the budget of 1861–62, and that it could not possibly be met by the Survey Department, A rough, or preliminary and less expensive geographical sketch, however, of the territory commenced under the authority of Major J. T. Walker, Superintendent of the Great Trigonometrical Survey, was ordered to be completed without delay, and it was confidently hoped that this would answer all local purposes till a more systematic and minute topographical survey could be made.

5. The Governor General's agent, North East Frontier, was informed accordingly, and, in reply to the inquiry as to the sources from which the cost

cost of the rough sketch should be defrayed, it was proposed that, as the sketch was required for all purposes connected with the general administration of the country, political, fiscal, judicial, military, and police, the cost should be defrayed from "general revenue."

6. The long-delayed scheme was now further interrupted by the illness of Messrs. De Souza and Lane, the two only surveyors reported by Mr. Walker as capable of undertaking the task. The Governor General's agent was informed accordingly, and Colonel Thuillier requested to provide for the necessary expenditure in the next year's (1861-62) budget.

7. In April following, in consequence of the insurrection in the Jynteeah Hills, survey operations there were out of the question. In November 1862, however, the Surveyor-general was again called upon to report as to the possibility of taking steps for a topographical survey of the spur of hill country lying between the valley of Assam on the north, and the districts of Mymensing, Sylhet, and Cachar on the south, and extending from the Garrow Hills on the west, to the boundary of North Cachar on the east; and, if arrangements could be made to state when the survey could be undertaken, how long it would occupy, and what would be its cost.

8. Colonel Thuillier having in view the difficulties to be experienced in the survey of a remarkably hilly tract of country was of opinion that, without a trigonometrical basis, and the formation of a party of surveyors and subordinates specially trained and competent to delineate difficult hilly ground, the work could not be undertaken. Further, that with the numerically weak establishment of topographers at his disposal, all more or less quite new to the work, owing to the formation of a new party for Rewah, a survey force of sufficient strength for operations on the hills in the ensuing cold weather could not be organised. But if help could be obtained from the Great Trigonometrical Survey Department by the loan of one of its leading officers, the Surveyor-general thought that the nucleus of a small establishment might be formed in the season of 1863-64, and the work carried forward in a systematic and efficient manner. To this end Major Walker, who had been addressed on the subject by the Surveyor-general, offered the services of Captain Austen, and an assistant from 1st October next, when, adopting the standard scale of one inch to the mile, as the only scale suited to revenue, engineering, and geological purposes, and approved by the Government of India, the Surveyor-general expressed a hope that the survey could be prosecuted at about 18 rupees per square mile, and completed within five years after gradual expansion to full strength.

9. The usual strength of a topographical party was estimated by the Surveyor-general at 61,414 rupees; but for the first season, with a new staff, when working up to full strength, was not considered practicable, and could only be gradually attained, both the permanent and contingent expenses would only amount to 31,707 rupees. The Government of India, in the Home Department, having been furnished with a copy of the above correspondence, was asked to include the amount (31,707 rupees) in the budget of 1863-64, and the survey strongly recommended. On the 6th ultimo, their attention was again drawn to the subject, and the importance of the survey emphatically urged.

10. Colonel Haughton, the Governor General's agent, North East Frontier, submitted, in his report in February last, on the recent rebellion in the Jynteah Hills, a proposal to the effect that as no map of the country exists, and its want has been a serious hindrance to military operations during the recent campaign, a topographical survey of it should be made, both with the view to the efficient carrying on of military operations hereafter, if need be, and to the settlement of Europeans in the country. He was, in reply, informed of the intention of the Government to have the territory surveyed.

11. In conclusion, I am desired to request that the Board will arrange, in communication with the Surveyor-general and the Commissioner of Assam, for the demarcation and survey of the waste lands referred to in Mr. Allen's report, and in the details herein given. It is of much importance, his Honour observes, that the extent and situation of the waste lands actually belonging to Govern-

ment and available for sale, should be accurately determined with as little loss of time as possible.

12. A subsequent letter, No. 31, dated 22d ultimo, on the same subject, received from the Surveyor-general, is herewith forwarded.

— No. 48. —

From *E. H. Lushington*, Esq., Secretary to the Government of India, Financial Department, to the Secretary to the Government of Bengal (No. 2996); dated 7 July 1863.

In reply to your letter, No. 2345, dated 9th June 1863, I am directed to state that the Honourable the President in Council is pleased to authorise the expenditure of 5,812 rupees (Five Thousand Eight Hundred and Twelve), for the Darjeeling Terai, and to sanction an additional grant for the amount, under B. I. 1, Land Revenue of the Bengal Budget for 1863-64.

2. Care will of course be taken to recover from the purchasers of the surveyed waste lands such part of the expenditure as may be chargeable to their several allotments, while the cost of the survey of occupied lands will be borne by Government.

(No. 2790).

Copy of the above forwarded to the Board of Revenue for information, and with a request that due attention may be given to the subject referred to in para. 2.

From *R. B. Chapman*, Esq, Junior Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 174); dated 15 June 1863.

With reference to the orders of Government, No. 2201, dated 30th ult., by which a survey and demarcation of boundaries is no longer required as an indispensable preliminary to the sale of waste lands in Assam, Cachar, and Sylhet, or the redemption or commutation of grants of land under old rules in those districts, I am directed by the Board of Revenue to submit, for the orders of Government, the accompanying copy of a letter from the Commissioner of the Nuddea Division, No. 690, dated 28th April, with its enclosure, to inquire whether the Board is at liberty to apply to the Soonderbunds, and generally to lands analagously situate, the principle now conceded in regard to the lands in Assam, Cachar, and Sylhet.

From *V. H. Schalch*, Esq., Commissioner of the Nuddea Division (No. 690); dated 28 April 1863.

Forwarded to the Board of Revenue, Lower Provinces, for information.

From *C. P. Caspersz*, Esq., Commissioner in the Soonderbunds, to the Commissioner of the Nuddea Division (No. 309); dated 22 April 1863.

I have the honour to request the favour of your informing me, *first*, whether it is necessary to survey all grants made under existing rules, for the redemption of which the grantees may apply; and, *secondly*, if a survey is necessary, whether the amount of redemption or any part thereof calculated agreeably to the Board's circular, No. 63½, dated 23d December 1862, may be received by me, previous to completion of such survey.

2. I presume

2. I presume that in every case where we have a reliable survey, no second survey will be necessary; but in the event of a survey being required, it will make a difference in the amount of redemption to be paid by the grantee if it is paid after completion of the survey. I therefore solicit instructions on the subject.

3. I submit herewith, copy of a letter from one of the grantees of Lots 43, 129, and 130, which has rendered this reference necessary.

From *W. O'Brien Smith*, Esq., one of the Grantees of Lots 43, 129, and 130, to *C. P. Caspersz*, Esq., Commissioner in the Soonderbun.; dated 21 April 1863.

THE grantees of Soonderbun Lots, No. 43, 129, and 130, are desirous, pending their appeal to the Supreme Government, to deposit one-tenth of the amount required for the redemption of the land revenue of their lots, and will feel obliged by your informing them whether the money is to be tendered to yourself, as Commissioner of Soonderbuns. If so, they will deposit the money at once, and will also be prepared to pay the sum required for the survey of Lots 129 and 130 as soon as you inform them of the amount required for such purpose.

Requesting the favour of an early answer.

From *V. H. Schalch*, Esq., Commissioner of the Nuddea Division, to the Commissioner in the Soonderbuns (No. 301); dated 27 April 1863.

I HAVE the honour to observe, with reference to your letter, No. 309, of the 22nd inst., that when a grant, for the redemption of which the grantee may apply, has been already surveyed, and the boundaries have been definitely laid down, and not merely approximately given, there will be no necessity for any further survey.

2. With regard to your second query, I observe that the rules for redemption of grants of waste lands, contain no provision as to the time at which the redemption-money, or any portion of it, is to be deposited; but this could ordinarily be done after completion of the preliminary survey when necessary, and of inquiry whether the requisite quantity of land has been cleared, &c.; but there can be no objection to the parties applying for redemption, depositing the redemption-money, or any portion of it, with you in anticipation of the completion of these proceedings if more convenient to them; but it should be accepted with a distinct intimation to the parties that its receipt is for their convenience, and is in no way to be considered as tending to the finality of the redemption proceedings.

3. As bearing on this subject, I forward copies of the correspondence referred to in the margin,* from which you will perceive that the Government do not intend that the remarks regarding redemption, contained in their 6th paragraph, are to be held to dispense with further inquiry and report.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Junior Secretary to the Board of Revenue (No. 61 T; dated on board the Yacht "Rotas," 27 July 1863.

I AM directed to acknowledge the receipt of your letter, No. 174, dated the 15th ult., and in reply to inform you that the Lieutenant Governor does not see any sufficient reason for extending to the Soonderbuns the relaxation of the rule which requires survey as an essential preliminary to the grant of waste lands.

— No. 49. —

From *R. B. Chapman*, Esq., Officiating Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 304); dated 17 August 1863.

I AM directed by the Board of Revenue to submit herewith, for orders, extract, paragraphs 1 and 4 of a letter from the Superintendent of Darjeeling, dated 3d instant, No. 942, inquiring how the amount realised from commutation

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* From Junior Secretary to Government of Bengal, to Commissioner, No. 1696, dated 24th April 1863. From Junior Secretary to Government of Bengal to Mr. Dicey and others, No. 934, dated 4th March 1863.

tion of leases, such as those sanctioned by Government Order, dated 2d December 1862, No. 3113, is to be treated in account.

2. The Board have, in their letter, No. 144, dated 13th May last, inquired how the sale proceeds of land in the territory originally ceded by the Sikhim Rajah, which have heretofore been carried to credit of the Location Fund, should be dealt with. The proceeds of commutation, it is presumed, will follow the same rule as sale proceeds.

3. Both sale and commutation proceeds of waste lands in the more recently acquired confiscated territory will, of course, under the rules, have to be credited to "Public Debt." Should it be decided that the proceeds of lands in the old territory shall be similarly accounted for, the interest of the money invested in Government securities might, perhaps, be made available for the Location Fund.

EXTRACT from a Letter from the Superintendent of Darjeeling, to the Secretary to the Board of Revenue; dated 3 August 1863.

* No. 3113.

Para. 1. I HAVE the honour to request the instructions of the Board, as to the disposal of the funds accruing from commutation of leases under orders of Government,* dated 2d December 1862.

2. The rents now commmuted, have always been credited to the "Location Fund," as also the price of such leases as have been commuted under the old rules.

3. The question now arises with regard to the "Kodobaree Lands," held by the Kurseong and Darjeeling Tea and Coffee Company, for which a nominal rent of *Rs.* 6·8 per annum was paid.

4. Commutation at 10 rupees an acre is now sanctioned by Government.

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Secretary to the Government of India, Financial Department (No. 3393); dated 28 August 1863.

I AM directed to solicit your attention to the letter from this office, No. 2295, dated 5th of June last, and to beg that his Honor the President in Council may be moved to grant his early consideration to the question therein submitted, regarding the mode in which the sale proceeds of the waste lands of Darjeeling, in the territory originally ceded by the Sikhim Rajah, should be treated in account.

From *J. Geoghegan*, Esq., Under Secretary to the Government of Bengal, to the Officiating Secretary to the Board of Revenue (No. 3392); dated 28 August 1863.

WITH reference to your Letter, No. 304, dated the 17th instant, inquiring how the amount realised from commutation of leases at Darjeeling should be treated in account, I am directed to state that the Lieutenant Governor awaits the decision of the Government of India on the question previously submitted by the Board, regarding the sale proceeds of land in the territory originally ceded by the Sikhim Rajah. As the two cases are analagous, and as the ruling passed on the one will probably govern the other, the attention of the Government of India has this day been again drawn to the subject.

— No. 50. —

(No. 134).

From *W. Gordon Young*, Esq., Officiating Commissioner of Chittagong, to the Secretary to the Government of Bengal (No. 125); dated 5 October 1863.

With reference to the concluding sentence of your letter to Dr. Barry, which accompanied Endorsement No. 3687, dated 22d ultimo, I have the honor to request you will inform me whether the Government is bound to dispose of its waste unutilised lands in one way only, viz., by sale under the rules of August 1862; and whether, if it be not possible so to dispose of them, the lands must remain waste rather than be made productive in any other way. I do not imagine that it is intended to go as far as this, yet the words of your letter are calculated to raise doubts which I should be glad to have solved with reference to the large extent of waste and useless lands of different kinds in this division which I have to deal with.

2. I am myself not aware of any rule or pledge by which Government has precluded itself from turning its own property to the best account.

3. The Waste Land Rules at least seem to contain nothing of the kind. Moreover, they purport to apply to "Unassessed Waste Lands," leaving it to be inferred that there may also be assessed waste lands. Neither does Sir C. Wood's Despatch of July 1862 insist upon waste lands being either sold in fee simple or left waste for ever. On the contrary, paragraph 61 of that Despatch seems to imply that a "tenure with fixity of rent" is in many cases preferable to sale, and "forest" (such as abounds here) is in the same paragraph, especially referred to as a species of land to which the renting system is often more suitable than "purchase of the fee simple."

4. Where a piece of land has been applied for under the rules, I can understand that the Government may consider itself bound to sell it accordingly; but where no such application has been made, or is likely to be made, I do not suppose that Government intends to tie its own hands, or those of its servants, so far as to prohibit any other arrangement, however manifestly conducive to the public interests as well as to those of the parties immediately concerned.

5. For instance, in this division are many tracts of waste land of the kind frequently referred to in the Secretary of State's Despatch, such as Soonderbun and Delta Land, "sandy tracts," "salt inundated land," "wild uncultivated country," "localities inhabited by warlike and predatory clans," and so forth. In those cases where no one is likely to buy such tracts under the rules, it is the practice to grant them for terms of years, either rent free or on very easy terms, to any one who will clear and cultivate them. And this practice, as regards the Regulation Districts, is of course known to and sanctioned by the Board of Revenue. Only lately, in the case of an island, which the Collector had made many attempts to farm, but without success, owing to its being so infested with wild beasts and overgrown with dense jungle, that nobody could go near it, the Board ordered it to be entered in the Waste Land Register. This was done as a last resource and not as implying anything wrong in the attempts made to farm it. Indeed, I have no doubt that, although the Board have thus declared it to come under the designation of "waste land," they would be very glad to hear of any one having been got to clear and cultivate it on any terms.

6. So, also, in the case of an application received not long ago from a native for the settlement of certain "waste lands" (hills, marshes, &c.), in the jungly parts to the south-east of this district, I directed the Collector to give consideration to the petition, "with a view to determining in what way the khas lands referred to (or any portion of them) may most speedily and properly be brought under cultivation through the instrumentality of the petitioner or of other parties."

So, likewise, there are large tracts of forests away in the hills to the east. These are lands that no European (and still less any other person) is likely to

purchase under the rules; indeed, such purchases are rather deprecated by the Secretary of State in paragraph 5 of his Despatch.

8. The practice here is to encourage the native tribes to clear and cultivate this land, making us a small annual payment in return for the permission.

9. Now, it appears to me, that if a strict interpretation is to be given to the concluding words of your letter, the practice described in the last three paragraphs must be stopped, and the lands in question must be abandoned to wild beasts and malaria, until some one applies for them under the rules, *i.e.* possibly for ever. The consequence of this would be not only loss of revenue, but deterioration of the whole country, and, occasionally, riots and bloodshed on account of the relinquished lands, without, as far as I can see, any countervailing advantage.

10. What I trust, then, I may be allowed to do, is to get useless and waste land brought under cultivation as far as possible; where it can be sold under the rules to sell it; where it cannot, to lease it for a long or short period.

(No. 135.)

From *S. C. Bayley*, Esq., Junior Secretary to the Government of *Bengal* to the Officiating Commissioner of *Chittagong* (No. 4392); dated 24 November 1863.

With reference to your letter, No. 125, dated the 5th ultimo, requesting information as to whether the Government is bound to dispose of its waste, unutilised lands only by sale, under the rules of August 1862, and whether, if it be not possible so to dispose of them, the lands are to remain waste rather than be made productive in any other way, I am to remark that the rules in question prescribe that from the date of their promulgation no fresh applications for grants of waste land, under any previous rules, will be entertained.

2. This rule must be observed, but it does not prevent the Government from letting its waste lands on temporary and terminable leases which convey no proprietary right, and are not commutable.

3. Leases of Government waste lands on these conditions may be granted at the discretion of the Commissioner of the division in the same way as other Government lands are let in farm on the best terms procurable, provided that the area included in any one lease does not exceed 3,000 acres, and that the period of the lease does not exceed 30 years.

From *W. Gordon Young*, Esq., Commissioner of the *Chittagong* Division to the Secretary to the Government of *Bengal* (No. 148); dated 6 November 1863.

In continuation of my letter, No. 125, dated 6th ultimo, I have the honour to state that there are two Native petitions now before the Collector, in which application has been made for the settlement (permanent or otherwise) of tracts of waste land. These petitions were first presented to the Board, and were by that authority, forwarded to me "for disposal," by which, I suppose, it was meant that the Board, at least, were aware of no objection to compliance with the requests. I trust that the Lieutenant Governor also sees nothing objectionable in my entertaining such applications; but until I receive an intimation to this effect, I am in doubt how to proceed.

— No. 51. —

From Messrs. *Gladstone, Wyllie*, and Co., and others, Rangoon, to Colonel *A. P. Phayre*, Chief Commissioner of British Burmah; dated 19 March 1863.

With reference to your request at our interview of this morning that we should address you in writing regarding the grant, dated 16th March 1863, under the rules for the grant of Waste Lands, to Mr. Thomas Sutherland, of the land laying between the Poozendong and Pegu rivers, including the whole of the available river frontage on the former and a portion of that on the latter river, we have the honour to state—

1st. That the land in question comes under the designation of extra surburban allotments, and that, under the rules for the disposal of such land, it ought to have been sold in lots by public auction at a fixed upset price after due advertisement in the public papers (*vide* rules for the extra Suburban Allotments in Browne's Manual, edition of 1861, page 92.)

2d. That the land in question cannot come under the rules for the grant of Waste Lands, or Clause 4 of these rules (*vide* Browne's Manual, page 30.)

3d. That it is a manifest injustice to those who have bought from the Government (in terms of their published rules) and paid for the adjoining sites to grant free for 16 years and thereafter at a nominal rental, the land in question.

4th. That the effect of the grant to one individual of the whole remaining river frontage of the Poozendong Creek will be practically to shut out from the rice trade any new comers who may wish to enter it, and to prevent those at present engaged in it from extending their business, it having been found in practice that the rice trade has centred at Poozendong.

5th. That the grantee or his assigns is put in a position to enter the trade of this place in competition with us on more favourable terms than we were able to do, from his having got his land practically for nothing.

6th. That while the grantee applied for this land under the pretext of establishing thereon a model farm, and the Government on this representation were no doubt induced to grant it, we would, while denying *in toto* the right of the Government, under the existing rules, to make this grant, point out that you have taken no guarantees (by endorsation on the grant or otherwise) that the land will be applied to no other purpose, or that it will be applied to this purpose within a specific time; and that we know the land to be utterly unsuited (by reason of its being at certain seasons of the year submerged by the tide under salt water and from other causes,) for a model farm; and further, that we believe no considerable portion of it, if any, ever will be made into a model farm; on the contrary, we have reason to believe that all that portion of it which consists of river frontage will be used for carrying on business in competition with us.

Mr. Sutherland having himself stated to several parties, who are ready, if you desire it, to come forward to testify to the fact, that his intention is to use at least a great portion of this land for purposes in no way connected with a model farm, but appertaining to the general business of the place.

7th. While disclaiming any desire to injure Mr. Sutherland, we cannot but feel that a very grave injustice has been done to us in this matter, and we are confident it has only to be brought to your notice to be remedied by the cancelling of the grant.

8th. It is not for us to say in what way you may give to Mr. Sutherland an equivalent for the cancelling of the grant referred to; but we would point out to you that in the vicinity of Rangoon there are many sites available

which could be legally granted under the Waste Lands Rules, much better adapted for a model farm than the one in question; in fact, we know of no site so ill adapted for a model farm as the one under discussion.

9th. Regarding your statement of this morning, that you granted to Mr. Sutherland the enormous extent of river frontage you have done in consideration of his taking a considerable quantity of land at the back of this river frontage, which you thought you could not otherwise have disposed of to so much advantage, we would point out to you:

That the river frontage granted to Mr. Sutherland amounts to 7,210 feet, or equal to nine lots of 750 feet × 750 feet, and one lot of 460 feet × 750 feet, aggregating, in round numbers, 124 acres, which, at the Government upset price of 400 rupees per acre (*see* rules for the Suburban Allotments, page 92 of Browne's Manual), would have yielded to the Government a capital sum of 49,600 rupees, besides paying from the first the usual land assessment of three rupees per acre in addition to the other local and general taxes; and we venture to affirm that the whole of this land would have been taken up within the next five years at at least the Government upset price, and very probably more. This capital sum of 49,600 rupees, to which amount the Government would have been in pocket by the sale of the river frontage alone above referred to, would have produced, at the interest of five per cent. per annum an annual amount of 2,480 rupees.

The total measurement of the land granted to Mr. Sutherland is, in round numbers, 402 acres, inclusive of the above 124 acres of river frontage under the terms of his grant; this land will yield no revenue for 16 years; thereafter it will pay land assessment at the rate of eight rupees, and one rupee, and *Rs.* 1. 8. per acre for the succeeding four, four, and eight years respectively. During these 32 years the land will yield the following aggregate amount of revenue to the Government:—

For the first 16 years - - - - - -	free.		
For the succeeding four years - - - -	402 acres.		
Less deduction for water-courses, &c., one-fourth, say	100	„	
Taxable area - - - - - - -	302	„	*Rs.*
at 8 annas, *Co.'s Rs.* 151 per annum		=	604
For the next four years, at 1 rupee	„ 302	„	= 1,208
For the next eight years, at *Rs.* 1. 8.	„ 453	„	= 3,624
Total revenue to be derived during the next 32 years from the whole amount of land granted to Mr. Sutherland inclusive of the 124 acres of river frontage - - -			*Rs.* 5,436

During the same period the river frontage alone of the above grant would have yielded to the Government the following revenue, in addition to their being in pocket to the amount of the capital sum of 49,600 rupees realised by its sale, allowing, as above, that the land remained unsold during the next five years (on an average):—

	Co.'s Rs.
After that the capital sum realised by its sale, as above explained, would yield, at simple interest, 2,480 rupees, or during 27 years - - - - - - - -	66,960
Land assessment for 26 years, the first year being free (*see* page 93 of Browne's Manual), on 124 acres, at three rupees each = 372 rupees - - - - - -	9,672
Total revenue that would be derived by the Government during the next 32 years from the river frontage only in addition to the capital sum - - - - - -	76,632
Total revenue that would be derived by the Government from the 402 acres (in which are included the above 124 acres of river frontage) granted to Mr. Sutherland -	5,436
Difference in favour of the revenue by disposing of even the river frontage only according to law - - -	71,196
Besides the capital sum sum of - - - *Co.'s Rs.*	49,600

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The foregoing statement is, we think, so clear as to render further remark on our part unnecessary, beyond pointing out to you that the amount we have calculated on as revenue to be paid during the next 32 years under the grant to Mr. Sutherland is based on the supposition that he will honestly carry out his avowed (to the Government) purpose of making the whole of the land into a model farm; but the possibility must be contemplated on the river frontage becoming separated from the land behind it, and passing (by sale from Mr. Sutherland or his assigns, or otherwise) into the hands of parties who will use it for the purpose of carrying on a rice business, and of the interior portions of the land being abandoned, and thus yielding no revenue to the Government, there being in the terms under which the land had been granted to Mr. Sutherland no condition to prevent his disposing of the river frontage or any other portion of the land to parties who, having acquired it by the *bonâ fide* payment of a valuable consideration to Mr. Sutherland, their right to use it for any purpose could not be disturbed.

10. We trust it will suit your convenience to favour us with an early reply to this address.

(No. 198.)

FORWARDED to the Chief Commissioner of British Burmah for report.

By order, &c.

(signed) *C. U. Aitchison*,
Under Secretary to Government of India,
with the Governor General.

Simla, 15 August 1863.

From Lieutenant-Colonel *A. P. Phayre*, C. B., Chief Commissioner of British Burmah, and Agent to Governor General, to Colonel *H. M. Durand*, C. B., Secretary to Government of India, Foreign Department, Governor General's Head Quarters, *viâ* Calcutta (No. 263–4044); dated Rangoon, 2 October 1863.

I HAVE the honour to acknowledge the receipt of Docket, No. 198, dated the 15th August last, from Mr. Under Secretary C. U. Aitchison, forwarding, in original, for report, a letter to my address, dated the 19th March 1863, from Messrs. Gladstone, Wyllie, & Co., of Rangoon, and other gentlemen, referring to a grant of land made by my authority to Mr. Thomas Sutherland, a gentleman residing at Rangoon.

2. The grant in question was made to Mr. Sutherland on the 16th of March 1863. Although the land is situated within the boundaries called "extra suburban lots," which ordinarily are put up to auction, yet the land now in question can, under Rules III. and IV. of Rules passed in March 1861, by the Governor General in Council, be granted, as a special case, on special terms. The rules referred to are quoted in the margin for ready reference.*

3. The special case in this instance was, that Mr. Sutherland, a gentleman of great energy and scientific attainments, offered to take a grant of the land in question for the purpose of forming a model farm: he required the river frontage to erect machinery and enable him thereby to turn the rest of the land, that situated away from the river bank, to account; for it was a mere swamp

* Rule 3. No grant for agricultural purposes is to be made under these rules of a greater extent than ten thousand (10,000) acres, or within a distance of four miles from the nearest part of the boundary of the jurisdiction of the town magistrates of Rangoon and Dalhousie, and from the court-houses of the Deputy Commissioneri of other districts. Within the above limits it shall be competent for the Deputy Commissioners, with the sanction of the Commissioner, to give grants of not less than five (5) acres, and not more than one hundred (100) acres, upon such conditions as, with reference to the nature and situation of the land applied for, may be specially fixed and determined.

Rule 4. Provided that, should it appear there is anywhere an isolated patch of waste land of smaller extent than is above noted, and which, from particular circumstances, it may be desirable to have redeemed, the local authorities may, at their discretion, give a grant of the same.

swamp covered with water at every flood tide, and of such a nature that, without the river frontage, it could not properly be turned to any use.

4. The land, then, was granted to Mr. Sutherland on the conditions that he was to establish there a model farm; on this the gentlemen who have signed the letter in question remonstrated against the terms on which the land had been granted; the gist of their remonstrance was that Mr. Sutherland had acquired his land on more favourable terms than they had acquired theirs in the immediate vicinity. I ascertained, however, that the majority of the gentlemen had no objection to offer, provided Mr. Sutherland was strictly kept to his plan of a model farm.

5. On further consideration of the grant made I was of opinion that the terms and conditions for establishing a model farm had not been expressed with sufficient clearness and strictness, and I intimated to Mr. Sutherland that I wished the terms to be re-drawn. That gentleman at once acceded, and a new grant was drawn out: I beg to submit a copy thereof, dated the 24th of June 1863.

6. I also beg to submit copy of a letter, No. 2117, dated the 4th of June, which I caused to be addressed to the gentlemen who wrote to me the letter of the 19th of March; in that letter I explained the course I had taken. I have every reason to believe that this final arrangement made was satisfactory to every one except to one firm.

7. In conclusion, I beg to assure his Excellency the Viceroy and Governor General, that, in making this grant, I was actuated solely with the desire of benefiting the Province by exhibiting to the people a model farm, such as a gentleman like Mr. Sutherland can form, and growing cotton and other produce brought to a high degree of perfection; that the grant was made strictly according to published rules; and that the first oversight of my having omitted to bind down Mr. Sutherland strictly to the formation of a model farm having been subsequently rectified, the majority of the gentlemen who remonstrated have expressed themselves as satisfied with the arrangement made.

8. I beg to return the original letter received with the docket under reply.

Agreement for a Grant of Waste Land.

Whereas Thomas Sutherland of Rangoon, in the Province of Pegu, in British Burmah, merchant, hath applied to Her Majesty's Government to grant him four lots or grants of waste land for the purpose of a model farm only (including the introduction of machinery), measuring each one hundred acres or thereabouts, situated near the village of Kezoo, circle of Kyouk Kyoung, township of Daubong, for the purpose of establishing a model farm thereon, which Her Majesty's Government have consented to do for the purpose of a model farm, including the introduction of machinery, as aforesaid, on him, the said Thomas Sutherland, entering into and executing these presents. Now these presents witness, that, in pursuance of the said agreement, and in consideration of such grant of waste land as aforesaid, he, the said Thomas Sutherland, doth hereby covenant and bind himself with and to Her Majesty's Government in manner and form following, that is to say:—

I. That he will use, occupy, and apply the said land to and for the purpose and objects of a model farm only, including the introduction and erection of such machinery as may be required, and will clear from time to time such portions of the said lots as he can bring under crop, and to sow the same with cotton, indigo, tobacco, rice, and the like, in such a manner as to carry out faithfully a model farm on the said land.

II. That the said model farm shall be established by the said Thomas Sutherland within eight years from the date hereof.

III. That, if the said farm is not established within the said term of eight years, an application shall be made by the said Thomas Sutherland to the Deputy Commissioner of Rangoon for the time being for an extension of time not exceeding eight years.

IV. That, if, on the expiration of the second term of eight years, the said model farm shall not be completed to the satisfaction of the Deputy Commissioner of Rangoon for the time

time being, Her Majesty's Government may resume the said land hereinafter more particularly described, and intended to be converted into a model farm by the said Thomas Sutherland.

5. That, should the said Thomas Sutherland use the said land or any part thereof for any other purpose than that of a model farm as aforesaid, and introducing and erecting such machinery as he, the said Thomas Sutherland, may from time to time require for the purpose of a model farm as aforesaid, the same shall become *ipso facto* liable to be treated as an extra suburban allotment of land, and shall be liable to be purchased by the said Thomas Sutherland at the Government upset price only, which the said Thomas Sutherland for himself, his heirs, successors, and assigns, hereby covenants with Her Majesty's Government to pay for the same, provided always that no more than two 1st class allotments, that is to say, one 1st class lot marked A., situated generally as per plan annexed, and measuring not more than 250 yards of river or creek frontage, with 250 yards in depth; and in like manner another 1st class lot marked B., situated generally as per plan annexed, and measuring not more than 250 yards of river or creek frontage, with 250 yards in depth. The said two lots, A. and B., to be carefully measured and specially marked by iron-wood posts by the Deputy Commissioner of Rangoon, in communication with the said Thomas Sutherland, in all December next; and for such allotments only, he, the said Thomas Sutherland, on payment in full for the same at the Government upset price of 400 rupees per acre having been first made, shall be entitled to receive from the Deputy Commissioner of Rangoon a grant of the same as usual.

6. That the said Thomas Sutherland, using the said land and every part thereof for the purpose of a model farm, except such as may be purchased at the upset price under clause five as above, will at all times, during the whole term for which the same shall be held by him, conform to the conditions prescribed in certain rules for the granting of waste land in the province of Pegu, sanctioned by the Government of India, under date the 6th March 1861; and the said land, except the two allotments provided for in clause five of this indenture, shall, if the model farm be completed within the term mentioned in clause four, be reckoned as belonging to class three of rule one, and be treated accordingly, and for the true and faithful performance of which said conditions he, the said Thomas Sutherland, binds himself, his heirs and assigns firmly by these presents.

7. That, should the said Thomas Sutherland fail to perform all and every the said conditions prescribed in the said rules, except as is herein otherwise set forth, the Deputy Commissioner of Rangoon, or other officer duly empowered in that behalf for Her Majesty's Government of India, shall be entitled to cancel the said grant of one, or more, or all of the said portions of land, subject to confirmation by the Commissioner of Pegu and Chief Commissioner of British Burmah, and to resume the said land or such part thereof as shall not have been purchased under clause five of this indenture by the said Thomas Sutherland.

8. That, further, the said Thomas Sutherland, doth hereby for himself, his heirs, executors, administrators, and assigns, covenant to observe and abide by the General Revenue rules of the province or division of Pegu which now are, or hereafter shall be, in force.

9. That, in all matters and things in reference to the occupancy of the said land and its proper use by the said Thomas Sutherland, and all questions which may arise as to the due and proper performance of all or any of the terms of these presents, the decision of the Deputy Commissioner of Rangoon for the time being shall, subject to appeal to, and revision by, the Commissioner of Pegu, and of special appeal to, and revision by, the Chief Commissioner of British Burmah, be final and conclusive, and shall be acquiesced in by the said Thomas Sutherland, his heirs, or assigns.

10. And these presents further witness:—

That Her Majesty's Government do hereby grant unto the said Thomas Sutherland, his heirs, or assigns, for the term of 32 years from the date hereof, as a grant of waste land of class three, according to the rules for granting waste land in the province of Pegu, sanctioned by the Government of India, under date the 6th March 1861, the said four portions of waste land, measuring each 100 acres or thereabouts, situated near the village of Kezoo, circle of Kyouk Kyoung, of Daubong, for the purpose of establishing a model farm thereon, including the introduction of machinery as from time to time be required, and for no other purpose, but subject to the provisions of Article five as to the sale of such portions thereof by Her Majesty's Government to the said Thomas Sutherland, should the same be used by him for purposes other than those of a model farm, and subject to the true and faithful performance by the said Thomas Sutherland of all and every the stipulations, conditions, and agreements herein contained on his behalf, to be observed and performed; the said land being bounded and numbered as follows:—That is to say, lot No. 1, bounded on the north by paddy land, measuring from I. to J. 800 feet, from J. to K. 330 feet, from K. to L. 260 feet, from L. to M. 370 feet, from M. to N. 910 feet, from N. to O. 540 feet, from O. to P. 580 feet; on the east by lot No. 2, measuring from P. to I. 980 feet, from I. to H. 360 feet, from H. to G. 750 feet; on the south by Puzoondoung River, measuring 3,940 or thereabouts; on the west by Government land, measuring 1,180 feet, containing 100 acres or thereabouts, and situated generally as per plan annexed. Lot No. 2, bounded on the north by lot No. 4, measuring 1,300 feet; on the east by lot No. 3, 100 feet road and Pegu River, measuring from A. to B. 1,340 feet,

from B. to C. 820 feet, from C. to D. 850 feet, from D. to E. 550 feet; on the south by timber-bonding station and Pegu River, measuring from E. to F. 200 feet, from F. to B. 200 feet, from B. to G. 1,340 feet, or thereabouts; on the west by lot No. 1 and paddy land, measuring from G. to H. 750 feet, from H. to I. 360 feet, from I to P. 980 feet, from P. to Q. 680 feet, from Q. to R. 970 feet, containing 100 acres or thereabouts, and situated generally as per plan annexed. Lot No. 3, bounded on the north-east by Government land, measuring on that side from 1 to 2, 1,390 feet, from 3 to G. 990 feet; on the south-east by Pegu River and 100 feet road, measuring from G. to D. 1,380, from D. to 4, 750 feet, from 5 to B. 2,504 feet; on the south-west by lot No. 2, measuring 1,340 feet, and the north-west by lot No. 4, measuring 2,170 feet, containing acres 100 or thereabouts, and situated generally as per plan annexed. Lot No. 4, bounded on the north-east by Government land, measuring 2,540 feet; on the south-east by lot No. 3, measuring 2,170 feet; on the south-west by lot No. 2, measuring 1,300 feet; on the west by paddy land, measuring from R. to S. 980 feet, from S. to T. 980 feet, from T. to U. 420 feet, containing 100 acres or thereabout, and situated generally as per plan annexed.

In witness whereof the said parties to these presents have hereunto set their hands and seals, at Rangoon aforesaid, this 24th day of June in the year of our Lord 1863.

Signed, sealed, and delivered in the presence of

(signed) *Armoogum Moodelliar.*
C. Vencatachellum Moodelliar.
G. Faithful,
Deputy Commissioner.
Thomas Sutherland.

From Captain *H. Nelson Davies,* Secretary to Chief Commissioner of British Burmah and Agent to Governor General, to Messrs. *Gladstone, Wyllie,* and Co., Messrs. *Todd, Findlay,* and Co., and other gentlemen, Rangoon (No. 2,117); dated 4 June 1863.

I HAVE the honour, by direction of the Chief Commissioner of British Burmah, to acknowledge the receipt of your letter, dated the 19th March last, complaining that your interests as land owners, holding land on the Puzoondoung Creek, in the neighbourhood of Rangoon, had suffered from a grant of land on that creek having been made to Mr. Thomas Sutherland.

2. The Chief Commissioner desires me to express his regret at the delay which has occurred in replying to your letter, and which has arisen, first, from his own absence on duty at Moulmain; and second, from his desire to settle the question in a manner satisfactory both to the gentlemen who addressed him and to Mr. Sutherland: he trusts that the result will show that the interests of the public, as well as those of both parties, in the present case, have not suffered from the delay.

3. Before proceeding to state the terms of the grant made to Mr. Sutherland, the Chief Commissioner desires it may be understood that there was nothing contrary to published rules in making the grant in question. The land is situated beyond the limits of the town and suburban lands; it is within what is called the limit of "extra suburban lots," and though there are rules for the sale by auction of such lots, yet there are also rules for the grant of waste land (the latest edition of which is dated the 6th March 1861); and under rule III. of those rules the power to make grants within the space called "Extra suburban" is expressly reserved: it was by virtue of that rule that the grant was made to Mr. Sutherland, and he received the grant according to the terms laid down in the said rules.

4. But, although such is the case, and the local authorities can at their discretion make such a grant, the Chief Commissioner admits that the landowners on the Puzoondoung Creek had good cause for remonstrating against any one receiving land immediately adjoining theirs, and for the same objects, on terms more favourable than they themselves had received their land from Government. The object of the grant made to Mr. Sutherland was to encourage him in, and enable him to carry out, his avowed undertaking, that is, the formation of a model farm. The greater portion of the land granted was useless unless the river frontage was included, and, it may be added, useless to any man for any purpose who had not the energy and scientific skill of Mr. Sutherland, whereby it might be turned to account. Under these circumstances, the grant was made under the rules quoted; but although the application made by Mr. Sutherland showed clearly his plans, the grant itself did not sufficiently express the obligation he was under to establish a model farm. On this being pointed out to the grantee, that gentleman in the most honourable manner at once agreed to accept a new grant, in which his obligations and duties, as well as his privileges, should be clearly set forth.

5. This has now been carefully done in a document drawn up by the Government Pleader, Mr. Donald Macleod, and the Chief Commissioner feels assured it is of a nature to give satisfaction to both parties. The grant is made expressly on the terms that a model farm shall be formed, Mr. Sutherland being allowed the option of purchasing to the extent of two lots under the extra suburban rules, in case doubts are entertained of the applicability

applicability of his machinery to the legitimate purposes of a farm. The documents are now all ready for signature,

6. It is generally admitted to be a great *desideratum* that the people of this country should be instructed in agriculture, and learn some better methods than those practised in their own rude tillage. The Chief Commissioner is persuaded that there could not be a more efficient means for accomplishing this desirable object, than in exhibiting to them the method of tilling the ground followed by a British farmer, and the results as shown in the superiority of their produce so obtained over that raised from their own rude and slovenly tillage. It is more especially desirable that the improvement which can be effected in cotton should thus be demonstrated, for the Chief Commissioner feels assured that, as far as soil and climate are concerned, that staple can nowhere be produced in greater perfection than in British Burmah; but the labour question, and the greater profits to be derived from other crops, at present preclude the hope of cotton cultivation being generally undertaken. Should it, however, be made evident that a superior description of cotton can be raised in this neighbourhood, one-half the difficulty will have been removed, and a strong motive for overcoming the other, that is, the want of labour, will have been supplied. The Chief Commissioner feels assured that Mr. Sutherland is, from his energy, skill, and scientific attainments as a civil engineer, eminently well calculated to succeed in the objects in view, and he trusts that the gentlemen he addresses will recognise in the plan for establishing a model farm on the land in question a great public benefit, and no detriment to their interests.

From *C. U. Aitchison*, Esq., Under Secretary to Government of India, Foreign Department, with the Governor General, to Messrs. *Gladstone, Wyllie*, & Co., Rangoon. (No. 284); dated Camp, Meean Meer, 5 November 1863.

WITH reference to your letter to the Chief Commissioner of British Burmah, dated 19th March, respecting a grant of land made by his authority to Mr. Thomas Sutherland, I am directed to inform you that, for the reasons which Colonel Phayre has given in his letter to your address, No. 2117, dated 4th June, his Excellency the Viceroy and Governor General is not disposed to question the propriety of the grant.

— No. 52. —

(No. 154.)

From Lieutenant Colonel *J. C. Haughton*, officiating Commissioner of Assam, to the Secretary to the Government of Bengal; dated 24 October 1863.

I HAVE just perused in the "Englishman" newspaper the Rules for the Sale of Waste Lands, published by order of the Board of Revenue, under date 13th instant.

2. With reference to the provisions contained in Rule 20, that no sale of waste lands once made by the collector in conformity with the rules will be disturbed by higher executive authority, it appears to me desirable that some further precaution should be taken regarding the disposal of lands on the frontiers of the Province of Assam, as without such, though the whole of the rules should be complied with, Government might at any time be embroiled with the native tribes, and the cause might long be concealed.

3. I believe that the greater portion of the disagreements we have had with the wild tribes on the north-east frontier have arisen out of a real or imagined trespass on what they considered to be their own country.

4. Recently, in reply to an inquiry made by General Jenkins, as to why tea planters had not cultivated the hill slopes downwards, thus giving themselves the benefit of a residence in a cool climate, he observes, among other things:— "Although the Meekirs only cultivate small localities now and then, yet they consider the whole hills as belonging to themselves. They habitually only cultivate the same plot of lands for two or three years at furthest, and then they remove to a completely fresh forest, and every Meekir considers all the lands within certain boundaries, mostly hill streams, to belong to themselves, as they require all that immensity of land for their peculiar mode of cultivation, and they are always ready to oppose any intruders within their boundaries; and although they might raise no objection to giving up small patches of land, for a consideration, to individuals or small parties, they would undoubtedly resist the giving away large tracts of their land by Government to large companies."

5. An individual seeing a large tract of waste land in the proximity of his tea plantation, if in want of it, would naturally apply for it to the nearest collector, and in the case of the Abors, Nagas, Meekirs, and others, most probably the land would be sold without their being aware of the fact. It is almost certain that many of the wild tribes would not come in to complain, even if aware of the fact, but would simply take the first opportunity of butchering the intruder, if he refused to comply with any demand they might make.

6. Recently the following case came under my notice. There is a timber mehal on the borders of Kamroop, and another adjoining it on the borders of the petty state of Jyrung, in the Cossyall hills. Both are leased out by Government; the former solely on Government account, and the latter on account of the Rajah and the Government, under an agreement that Government should manage it, and divide the proceeds with the Rajah, in order to put an end to disputes of frequent occurrence.

7. In August 1861 the Rajah complained to the Deputy Commissioner at Cherra that a Mr. Bainbridge had applied to the Deputy Commissioner, Kamroop, for a grant of two hills within his boundary, forming part of his timber mehal, and that the Deputy Commissioner had entertained the application, notwithstanding his objections, had caused the land to be surveyed, and had recommended a grant of it to be given. Captain Lloyd, the Deputy Commissioner of Kamroop, paid no attention to the remonstrances of the Deputy Commissioner in the hills, and an appeal was preferred to the Commissioner. This, in consequence of the rebellion in the hills, transfer of jurisdiction to Brigadier General Showers, and subsequent changes, remained pending till lately. In the meantime, Captain Lloyd, in reply to the inquiry of the Officiating Commissioner, denied that he had granted any land in Jyrung, but did not disclose the real state of the case. The land, it appears, would have passed to Mr. Bainbridge but for the refusal of the Board of Revenue to part with any portion of the Kamroop timber mehal, to which he said it belonged. It has since been established to my satisfaction that the land really does belong to Jyrung, and that the former Deputy Commissioner of Kamroop so decreed; and further, Mr. Bainbridge himself brought to Captain Lloyd's notice that the decision had been confirmed by the former Commissioner General Jenkins.

8. There can, I think, be no doubt that sale of any land by a collector beyond his jurisdiction is null and void. I would therefore recommend that the Deputy Commissioner in Assam and the public be informed that any sales of land made by a collector beyond the limits of his district, as shown in existing Revenue Survey maps, is null and void, and may be set aside by the Commissioner or Governor General's Agent, Rule 20 notwithstanding.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4398); dated 24 November 1863.

I am directed to forward the accompanying copy of a letter from the officiating Commissioner of Assam of the 24th ult., with a view to the issue by the Board of a supplementary order to the effect proposed by Colonel Haughton, and for such notice of the proceedings of Captain Lloyd, the Deputy Commissioner of Kamroop, as may be required.

2. All district officers, especially those in the north-east frontier, should be strongly cautioned against entertaining applications for land beyond the limits of heir districts.

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Junior Secretary to the Government of Bengal (No. 428); dated 8 December, 1863.

In reply to your No. 4398, dated 24th ult., I am directed to submit a copy of a circular order issued by the Board of Revenue as a precaution against district officers acting under the Waste Land Rules without jurisdiction.

2. The

2. The Board have been informed that Captain Lloyd has left the province of Assam, probably not to return to it, and they are therefore unable to obtain any explanation from him of the conduct so justly animadverted upon by Lieutenant Colonel Haughton.

3. The Board see in this correspondence further reason to doubt the wisdom of making grants and selling lands before completing all the formal preliminaries.

CIRCULAR ORDER of the Board of Revenue, Lower Provinces, to all Commissioners and District Revenue Officers (No. 77); dated 8 December 1863.

UNDER instructions from the Government of Bengal, the Board of Revenue are pleased to direct the following additions to Rules 4 and 20 of the Rules for the Sale of Unassessed Waste Lands in the Lower Provinces of Bengal, and for the redemption of the revenue of such lands already granted for a term of years:—

Addition to Rule 4 at the end:

"A collector can only receive applications under these rules for lands situate within the limits of his district, as shown in the Revenue Survey map of the district, when such a map is in existence, or, where the district has not been surveyed, as defined by Act VI. of 1853. A collector has no jurisdiction of any kind, under these Rules, over any lands lying beyond the limits of his district, thus defined; and any proceedings taken by him in respect of lands so situate are null and void, and shall be immediately and at any time set aside by the Commissioner, with or without appeal, anything contained in Rule 20 notwithstanding."

Addition to Rule 20:

After "made by a collector in conformity with these rules," insert "within the limits of his district, as defined in Rule 4."

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4810); dated 21 December 1863.

I AM directed to acknowledge the receipt of your letter No. 428, dated the 8th instant, and in reply to inform you that the Lieutenant Governor approves of the Circular Order issued by the Board, "as a precaution against district officers acting under the Waste Land Rules without jurisdiction."

— No. 53. —

From *W. Gordon Young*, Esq., Commissioner of the Chittagong Division, to the Secretary to the Government of Bengal (No. 219); dated 14 November 1863.

IN continuation of my letter No. 392,* dated 26th November 1862, I have the honour to submit herewith a tabular statement of waste lands available for grants for tea and other cultivation in the unsurveyed part of the Chittagong District.

* *See* Gazette Supplement, 20 Dec. 1862.

2. The statement which accompanied my letter abovementioned comprised only surveyed lands; and as the plots were made up of numbers of detached blocks, and the area and other information were derived from the old survey records of this district, it was not calculated to convey very reliable information as to the kind of land for which planters are looking out; and in fact, unless followed and supplemented by the publication of the statement now sent, it is likely rather to mislead inquirers than to convey a correct idea of the capabilities of the district.

3. The present statement has been prepared from the latest sources of information, and it contains only compact blocks, that are easily identifiable by means of the published maps, and that can be without much difficulty subdivided into smaller blocks or grants. I trust, therefore, that the Lieutenant Governor will be pleased to order its early publication in the "Gazette" Supplement, in like manner as the former and less serviceable statement was published in December last.

(No. 180.)

STATEMENT of Unsurveyed Waste Lands available in the District of Chittagong.

Names of Thannahs.	Number of Lots.	SITUATION.	Area of Land in Acres.	Distance from the Sudder Station, and Means of Communication.	REMARKS.
			Acres.		
Zorwargunge	1	South of Fenny River, north-east of Zorwargunge, north-west of Bundermara Sirra, and south-west of Ramghur.	About 51,000	About 42 miles; excellent communication by land or water.	This includes some patches of land occupied, for cotton and other cultivation, by Joomeahs and other squatters without right to the soil. The soil is believed to be adapted for the cultivation of tea and coffee as well as cotton, and is said to be sandy; and the lots are said to contain quantities of serviceable timber, such as jarrul, kurroi, and garjum trees.
	2	South of the above plot, north of Seetakoond Peak, bounded on the east and west by the plains.	„ 41,200	Average distance 32 miles; excellent communication by land or water.	
	3	South of the above plot, north of Burrakoomaree Dalla, and bounded on the east and west by the plains.	„ 22,000	Average distance 20 miles; communication as above.	
Bhatteary	4	South of Burrakoomaree Dalla, north-east of Latubpore, and west of Thannah Raoojan.	„ 25,000	Average 10 miles; communication as above.	
Raoojan	5	North of Kurnofooly River, east of Plains of Raoojan, and west of Plains Rangoneah Pharee, and south of a line drawn between the villages of Nullooah and Thannah Hat Hazaree and Burmserra, in Pharee Rangoneah.	„ 20,480	About 15 miles; communication chiefly by water.	There is said to be little or no cultivation in this lot, but quantities of serviceable timber, as quoted above. The soil is sandy and of a slightly reddish colour.
Putteah	6	South of Kurnofooly River, east of the Plains of Putteah, west of Rangoneah, north of a line drawn between Putteah Police Thannah and the village of Doodpookerea, in Pharee Rangoneah.	„ 15,360	About 16 miles; communication chiefly by water.	Cotton and dhan abound in these lots, and there is but little timber; the soil is good, with little sand in it.
	7	East of Putteah, north and west of Dolachenee, and south of Lot No. 6.	„ 23,040	About 18 miles; communication chiefly by water.	
Satkaneah	8	East of Juldee Police Pharee, west of Ahnuggur Pagullee, &c., and north of Chukkureah, and south of villages of Natmooree and Dokooreah.	„ 46,080	About 27 miles; communication chiefly by water.	Abound in quantities of serviceable timber, with a few squatters, and a little cotton near Rajabaree. These lots are more especially famous for the jargum trees; the greater part is good earth without sand.
Chukereah	9	East of Government Road from Chittagong to Ookeah Ghât, and north of Mumooree River, south-west of Dullo River.	„ 61,440	About 40 miles; communication by water or land.	
Ramoo	10	East and south of Government Road from Chittagong to Ookeah Ghât, north-west of Edghur, north of villages Gurjulleea and Banontee.	„ 9,000	About 60 miles; communication by land and water.	Abound in jargum trees and other good timber. There is little or no cotton or dhan grown. The soil is a mixture of sand and clay, called doroosa, and is of a red colour.
	11	East of Government Road from Chittagong to Oakeah Ghât, south-west of Edghur, north-west of Kasseepeah.	„ 23,040	60 miles; communication as above.	
	12	South of Cox's Bazar Road and villages Chamdacherru and Rajakoo, north of Rajoo River, west of the Government Road between Chittagong and the Dâk Bungalow at the mouth of the River Rajoo, and east of the sea (Bay of Bengal), and west of Koomeapabuz.	„ 32,000	70 miles; communication as above.	

STATEMENT showing roughly defined Lots of Waste Land available in the Chittagong District.

EACH lot cannot of itself be purchased or otherwise taken free of incumbrance, as exceeding the limit allowed by Government; but they contain some valuable blocks of hill and other land which would be so purchased, and which would be available for tea, coffee, and cotton cultivation. The lots can be identified by reference to the map of the district, surveyed by Lieutenant Siddons, which is obtainable in the Surveyor General's Office.

Forwarded to Commissioner of Chittagong, with reference to his letter No. 204, dated 30th October 1863.

(signed) *F. G. Millett*,
Officiating Collector.

Chittagong Collectorate,
7 November 1863.

THE areas above given have been very roughly estimated by the Collector from the maps Their extent has been, I think, in most cases overestimated; but this is, perhaps, of no great importance, as in the event of grants being applied for they will be surveyed in detail.

This statement does not, of course, include any fact of what is termed the hill tracts beyond the limits to zillah Chittagong.

(signed) *W. Gordon Young*,
Commissioner.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4,467); dated 30 November 1863.

I AM directed to forward, for the issue of such instructions as the Board may think necessary, the accompanying copies of two reports* furnished direct to this office by the Commissioner of Chittagong, regarding the waste land available in his district for tea and other cultivation.

* No. 392, dated 26 November 1862, with enclosure.
No. 279, dated 14 November 1863, with enclosure.

— No. 54. —

MEMORIAL of *Paterson Saunders* (Senior), of Mahomdee, Oude, to the Honourable *Cecil Beadon*, C. B., Lieutenant Governor of Bengal; dated 21 September 1863.

THAT your memorialist, on the publication of the late Governor General in Council's Resolution of the 17th October 1861, regarding the sale of waste lands, engaged the services of an experienced tea-planter, and sent him to Assam, for the purpose of searching for lands and purchasing them on the terms of the said Resolution.

That Mr. John Stephen, his agent, after much time, expense, and labour, did succeed in selecting some lands, and went through all the formalities prescribed by the law, such as payment of surveys, &c.

That his agent, on the 27th October 1862, applied for two pieces of land in the Nowgong District, named Mirraghor and Bablakoosee, of about 600 and 700 acres respectively, before the publication of the new Bengal Rules in that district.

That his agent found some difficulty in obtaining possession from the Deputy Commissioner of Nowgong, in consequence of the publication of the new Bengal Rules, and petitioned the Board of Revenue on the subject. That subsequently, on the 28th June 1863, on consideration of the whole circumstances, the Deputy Commissioner gave possession of the lands to his agent as under the old rules.

That on the 22d August 1863, the Officiating Deputy Commissioner of Nowgong sent his agent a copy of a letter from the Board of Revenue, dated 5th August 1863, disallowing him to obtain such possession; and the Deputy Commissioner demands back the letter of permission granted to him in June to take possession of the land.

Under such circumstances, your memorialist knows no better course than to appeal to your Honor to confirm the act of the first Deputy Commissioner of

Nowgong. Your memorialist cannot believe that after the time, labour, and expense undergone to obtain such lands, the applicant shall lose it for the difference of a few days in date, when such date was unknown and unpromulgated in the district. It is true that the Resolution did not authorise persons to apply for lands, but neither did it abrogate the old rules under which persons were invited to apply for such lands. And your memorialist relies on the justice tha characterises all the acts of your Honor, and the special declaration that where an applicant was led to expect, by the act of a collector, that his application would be complied with (in your memorialist's case two months' possession) he is not to be disappointed, and trusts that your Honor will give the necessary orders in the case.

And your memorialist will ever pray, &c.

No. 1157T.

Forwarded to the Board of Revenue for report and return.

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Secretary to the Government of Bengal (No. 390); dated 3 November 1863.

From Officiating Commissioner of Assam, No. 65, dated 17 July. To Officiating Commissioner of Assam, No. 108, dated 5 August.

In reply to your No. 1157T, dated 10th ultimo, I am directed to forward, for the information of his Honor the Lieutenant Governor, copies of the correspondence noted in the margin, which will explain the circumstances under which the Board declined to admit the application to which Mr. Saunders' petition refers to be dealt with under the old rules.

2. The Board do not consider that an application made at Nowgong on the 27th October 1862 can, upon any reasonable or fair interpretation of the Rules of August 1862, be said to have been made before their promulgation, seeing that those rules were published in the "Calcutta Gazette" of the 17th September 1862.

3. The date of the promulgation of the rules they consider to have been the date of their publication in the official "Gazette," and as applicable to each particular district; speaking generally, the date of the receipt of the "Gazette" at the headquarters of the district.

4. The circulation of copies of the rules with an order of the Board dated 14th October cannot, in the opinion of the Board, be in any way held to be the first promulgation of the rules.

P.S.— Original petition returned.

From Major *W. Agnew*, Officiating Commissioner of Assam, to the Secretary to the Board of Revenue, Lower Provinces (No. 65); dated 17 July 1863.

I have the honour to ask for the instructions of the Board of Revenue on the subject of two applications for waste lands in the Nowgong District, made by a Mr. Stephen on behalf of his employers, Messrs. Saunders, Fergusson, and Read.

Mr. Stephen's applications are dated respectively the 25th and 27th October 1862, and he contends that the lands applied for should be granted under the old rules of 1854, as the new ones were not promulgated in Nowgong on the above dates.

The question of what may be considered promulgation of the new rules has already been mooted in my letter to the Board, No. 166, dated 31st December 1862, forwarding Mr. Williamson's application for waste lands in the Seebsagur District. The features of Mr. Williamson's case are, however, widely different from those of Mr. Stephen. In the former the date of application was anterior to that on which the new rules were published in the "Calcutta Gazette," and their promulgation in any manner had not taken place; but the dates of Mr. Stephen's applications are, respectively, a month and seven days and a month and ten days after those rules had appeared in the Government "Gazette," and almost simultaneously

simultaneously in all the English journals in Calcutta, so that, as dâk communications from Calcutta to Nowgong is effected in less than 14 days, I think it highly improbable that Mr. Stephen wrote his application in ignorance of the fact that the old rules were no longer in force. The Officiating Deputy Commissioner of Nowgong recommended that the lands applied for should be granted under the old rules, on the grounds that the Board's circular of the 14th October, forwarding the new ones, did not reach his office till about the 30th idem, from which time he thinks promulgation should date; but this circular was issued only for the guidance of the district officers, and Mr. Stephen appears to have had far less chance of hearing of its receipt at Nowgong than of seeing the new rules in the local journals.

On the one hand, it is highly desirable that every reasonable concession should be made to tea-planters that will facilitate their operations, but, on the other, it is essential that the liberal policy of Government should not be abused. In the case of Mr. Williamson, the Board passed no authoritative decision as to what should be considered "promulgation of the new rules," and I now beg to ask for a ruling on the point. For my own part promulgation, I think, should date in each district from the day in which the Government Gazette containing the rules was received at the sudder station.

From *R. B. Chapman*, Esq, Secretary to the Board of Revenue, to the Officiating Commissioner of Assam (No. 108); dated 5 August 1863.

In reply to your letter No. 65, dated 17th ultimo, I am directed by the Board of Revenue to state that they think your construction of the "date of promulgation" of the Waste Land Rules reasonable, but would not lay down any rigid rule on the subject.

Under all the circumstances of the case, they decline to admit Mr. Stephen's application to be dealt with under the old rules.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue, Lower Provinces (No. 4400); dated 24 November 1863.

Your letter No. 390, dated 3d instant, reporting on Mr. P. Saunders' petition of appeal against the order of the Board, disallowing his possession under the old rules of two lots of waste lands in the Nowgong district, having been laid before the Lieutenant Governor, I am directed to say that his Honor has no doubt that the Board's decision is, technically speaking, right, and that the promulgation of the new rules must be held to have been made in each district from the date on which the "Gazette" of the 17th September 1862 was received there.

2. But, in the present case, possession of the land was actually given as under the old rules, and an amulnamah for that purpose was issued by the Deputy Commissioner. This being the case the act of the Deputy Commissioner, though unauthorised and done under a mistaken view of the rules, should, in the Lieutenant Governor's opinion, be upheld.

3. Mr. Saunders may, therefore, be allowed to have his land under the old rules.

Resolution by the Government of Bengal, dated 24 November 1863.

Ordered, that the petitioner be referred to the Board of Revenue, to whom orders have this day been issued on the subject of his petition.

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, Lower Provinces, to the Junior Secretary to the Government of Bengal (No. 429); dated 18 December 1863.

Before carrying into execution the orders contained in your No. 4400, dated 24th November, the Board of Revenue desire me to request that you will lay before his Honor the Lieutenant Governor the accompanying copy of a despatch

from the Officiating Commissioner of Assam, No. 126, dated 16th November, with its enclosure, and to inquire whether the circumstances reported in these papers will lead his Honor in any way to modify the orders which he has passed in favour of Mr. Paterson Saunders and his co-grantees.

From Major *W. Agnew*, Officiating Commissioner of Assam, to the Secretary to the Board of Revenue, Lower Provinces (No. 126); dated 16 November 1863.

I HAVE the honour to ask for the orders of the Board of Revenue in regard to the matter referred to in the accompanying papers.

It will be seen that Mr. Paterson Saunders has instructed his agent, Mr. Stephen, to maintain possession of the land he applied for in Nowgong under the old rules, but which the Board refused to grant under those rules (*vide* their letter, No. 108, dated 5th of August last). Mr. Saunders bases his objection to the Board's order on the grounds that Mr. Brownlow, the officiating Deputy Commissioner, "decided" that he was entitled to the land, although it was discovered that the Rules of the 30th of August had been promulgated prior to the application for it being made, and Mr. Saunders supports his argument by a reference to a ruling of the Honourable the Lieutenant Governor on what he calls the very point at issue.

I beg to observe that Mr. Brownlow had no authority whatever for acting as he so very improperly did—namely, in giving Mr. Stephen an amalnamah to take possession of the land, while the question was still pending as to whether the application was to be treated as one coming under the old rules or not.

He never acquainted me that he had acted as he did, and it only came to my knowledge that possession had been given to Mr. Stephen when Lieutenant Campbell, the present officiating Deputy Commissioner, reported his refusal to give up the amalnamah, which he was required to do on being told that the Board declined to allow him to have the land under the old rules. The instructions I gave to Lieutenant Campbell appeared in my Abstract of Proceedings for the month of September, and were to the effect that Mr. Stephen should be warned that any money he laid out was spent at his own risk, as the land was now available to the public for purchase; and those instructions, I hope, meet with the Board's approval.

I am always desirous of acting in a liberal spirit towards tea-planters, but, in this instance, I see no grounds whatever for modifying the orders already passed. There cannot be the slightest doubt that Mr. Stephen filed his application for the land in the full knowledge of the promulgation of the new rules; and the mere fact of his getting Mr. Brownlow to play into his hand should not be allowed, in my opinion, to strengthen his employer's case, nor do I consider that the point on which His Honor the Lieutenant Governor gave the ruling Mr. Saunders quotes bears any real analogy whatever to the case in question. His Honor referred to Collectors acting in *bonâ fide* good faith, not to one acting in a most unusual and highly irregular manner, by taking upon himself to pass an order he was incompetent to give, and concealing the fact from his immediate superior. I have actually a letter from Mr. Brownlow, dated the 22d of June (copy submitted), saying he had treated Mr. Stephen's application for the grants as coming under the new rules, and yet it appears he gave him possession of the land on the 20th idem. It is impossible to understand such contradictory conduct as this. True, Mr. Brownlow seems to have proposed that the application should be recognised as coming under the old rules, although on what grounds he did so it is quite impossible to gather from his letter, the context of which would lead one indeed to suppose that the concluding word but one should have been "new" instead of "old," which would alter the nature of his proposal altogether; but, however that may be, it is quite clear that, pending the receipt of the Board's decision on the point, he grossly exceeded his authority in issuing amalnamah. He never, though, as Mr. Saunders wishes to make out he did, led Mr. Stephen to believe his title to the land was good; for, had Mr. Stephen been under any such impression, why should he have appealed to the Board against Mr. Brownlow's order, that is to say, his order treating the application as coming under the new rules?—and the very fact of this appeal having been preferred shows that this is not a case such as was contemplated by the Lieutenant Governor when laying down the ruling Mr. Saunders refers to.

There is a misstatement in that gentleman's 4th paragraph that I shall take the liberty to correct. He says, "Mr. Stephen applied for the land before the Bengal Rules were promulgated in the Nowgong district, and although it was afterwards discovered that the rules had been published in the 'Calcutta Gazette' at a previous date to Mr. Stephen's application, &c. &c." Now, the obvious intention of the above words is to lead to the belief that, when Mr. Stephen applied for the land, nothing was known at Nowgong about the Rules issued by the Government of Bengal, although they had appeared in the Gazette, which Gazette, however, we are to infer, had not reached Nowgong at the time. Had the matter really stood thus, the Board know, from the opinion I expressed in Mr. Williamson's case, and which opinion they approved of my acting upon, that I would have recommended a grant of the land being given under the Rules of 1854; but the truth is that the Gazette containing the rules that superseded those of 1854 had been received in Nowgong nearly a month

month before Mr. Stephen filed his application, and they had been copied as soon as they were published in the Gazette into all the Calcutta newspapers, so that Mr. Saunders' assertions that his agent applied for the land before they were promulgated in Nowgong can be taken for what it is worth.

Besides the main question for the Board's decision in this case—namely, whether any action is to be taken towards ejecting Mr. Stephen, my opinion on which point being that, as he has been duly warned that he has no title to the land, no further steps need at present be taken—two subsidiary ones arise, one of which is of considerable general importance, the other being more of a personal nature. The Board will observe that after their orders were made known to Mr. Stephen, he begged, on the part of his employers, that the land might be put up to sale; but he now asks, in conformity with Mr. Saunders' supposed wishes, to withdraw that application as on their account, requesting that his own name may be substituted as the applicant for sale, which he begs may be allowed to take place according to advertisement. The questions therefore are—1st, May lots be withdrawn at the request of the applicant for sale, after advertisement has taken place? and 2d, Is Mr. Stephen's request admissible? The first point seems one on which there may be a doubt, but I suppose there can be none that, if Mr. Stephen wishes to buy the land himself, he must (should it be ruled that the application made on the part of Saunders & Co. can be withdrawn) put in a fresh application in his own name.

From *W. H. Brownlow*, Esq., Extra Assistant Commissioner in charge, to the Commissioner of Gowhatty (No. 64); dated 22 June 1863.

With reference to your memorandum No. 88, of the 11th instant, I have the honour to forward copies of the entries in the Waste Land Register, giving the required information regarding Mr. Stephen's application to the Board, which is herewith re-submitted; and to state that, as the orders in regard to the above grants were passed after the receipt of the new rules, as you will observe in the copies of the entries above alluded to, the grants were treated as made under the new rules. I would therefore recommend that in this case, as well as all others of a similar nature, the grants be recognised as made under the old rules.

From Lieutenant *A. E. Campbell*, Officiating Deputy Commissioner of Nowgong, to the Commissioner of Assam (No. 292); dated 4 November 1863.

I have the honour herewith to forward you copies of letters received from Mr. John Stephen regarding two grants of waste land in the Sohoree Mouzah, and which were refused him by the Board of Revenue in their letter No. 108, dated 5th August 1863.

I communicated to Mr. Stephen the contents of your letter No. 30, dated 28th September 1863, on which he asked me to have the grants advertised for sale; I accordingly wrote to the Board, in a letter, No. 288, dated 30th October 1863, requesting that an advertisement might be inserted in the Gazette.

You will observe, from the copies of the letters herewith sent, that Mr. Saunders has instructed Mr. Stephen to hold possession of the land until ejected by force, which he (Mr. Stephen), in one letter dated 30th October, states he purposes to do, but in another letter of the same date he requests that the land be put up to sale in his own name.

I solicit the favour of your informing me whether the sale of the land, as originally requested by Mr. Stephen, is to take place, or whether, as he now wishes, it be put up to sale in his own name; and further, whether he is to be allowed to retain possession of the grants, which he appears resolved to do, unless force be resorted to to eject him.

From *J. Stephen*, Esq., Manager for *Saunders, Read*, and *Fergusson*, Khola Tea Plantation, to Lieutenant *A. E. Campbell*, Officiating Deputy Commissioner of Nowgong; dated 30 October 1863.

I have the honour to forward herewith a letter from my employer, Mr. Paterson Saunders (senior), on the subject of the Merraghur and Balikoosee Grants, and which he requested me to deliver into your hands.

In conformity with the evident wishes of Mr. Saunders, I now withdraw my application of the 8th instant, for the sale by auction of the above grants. I further protest against the same being sold at the instance of any other person, and on the part of my employers state, that should you, notwithstanding this protest, sell the land in question to anyone whomsoever, you will do so in violation of the rules, and of their rights as proprietors of the land. Further, I beg to inform you that, in accordance with the instructions I have received, I shall hold possession of the grants until force is employed to eject me, or an adverse decree is given against my employers in a civil court.

From *P. Saunders*, Esq. (Senior), Bira Baree Estate, Luckimpore, Oude, to Lieutenant *A. E. Campbell*, Officiating Deputy Commissioner of Nowgong; dated 8 October 1863.

I HAVE the honour to inform you that the manager of the tea estates in which I have an interest, Mr. John Stephen, has forwarded to me copies of a correspondence between him and yourself, regarding two pieces of land for which he applied and obtained possession of from your predecessor in office.

2. A decision of the Board of Revenue, on what representation of circumstances I do not know, has led you to call upon Mr. Stephen, in your letter of 22d August, to give up possession of the land and to restore the amalnamahs issued by your predecessor. In your letter of 10th September you again call upon him to give up the amalnamahs, and state that you cannot make out what claim we have to the land.

3. As Mr. Stephen does not seem to be well acquainted with the rules and orders of his Honor the Lieutenant Governor of Bengal, I will answer the last question.

4. Mr. Stephen applied for the land before the Bengal Rules were promulgated in the Nowgong District; and although it was afterwards discovered that the Rules had been published in the "Calcutta Gazette" at a previous date to Mr. Stephen's application, it was decided by your predecessor that, under all the circumstances of the case, Mr. Stephen was entitled to the land, and he received possession with the amalnamahs.

5. But whatever doubts there may be as to whether he ought or ought not to have received possession of the land, the whole question is set at rest by the following reply of his Honor the Lieutenant Governor of Bengal, dated 19th September 1862, to a question put by the Secretary of the Landholders' Association on the very point at issue:—

Answer.—"Those who applied under the Resolution, but whose applications were not received or registered, have no claim to receive lands under the Resolution of the 17th October. The Resolution neither authorised persons to apply, nor warranted collectors in receiving and registering appl cations, till rules should be issued by the local government, and no such rules ever were issued. Still, where an applicant has been led to expect, by the act of a collector, that his application would be complied with in the terms of the Resolution, he is not to be disappointed."

6. Not only were we led to expect, by the act of a collector, that our application would be complied with, but it was complied with, possession of the land given, and the proper official documents given confirming that possession.

7. After being in possession for three months, and after having laid out large sums of money in seed, contracts, &c., we are now called upon to give up possession of the land and return the amalnamahs. Surely the Board of Revenue could not have had before it all these circumstances?

8. With great respect to the authorities, but with a firm determination to uphold my rights and those of my partners, I have instructed Mr. Stephen to hold possession of the amalnamahs and the land until he is forciby ejected by the executive officers of Government, or by a decree of a court of law.

9. In the meantime I have memorialised his Honor the Lieutenant Governor of Bengal on the subject, and, should his decision be adverse, I will memorialise his Excellency the Governor General of India in Council. Should his Excellency's decision be adverse, I will memorialise his Excellency Her Majesty's Principal Secretary of State for India, and should his Excellency's decision be adverse, I will bring my case before Parliament.

From *J. Stephen*, Esq., Manager for *Saunders, Read*, and *Fergusson*, Khola Tea Plantation, to Lieutenant *A. E. Campbell*, Officiating Deputy Commissioner of Nowgong; dated 30 October 1863.

HAVING this day, on the part of Messrs. Saunders, Read, and Fergusson, withdrawn my application of the 8th instant, for the sale by auction of the two grants of waste land in the Sohoree Mouzah, called Merraghur and Ballikoosee, and claimed the land as already belonging to them, protesting against the same being sold to any person whomsover, I now, acting on my own behalf, and not as an agent for others, request that my name may be registered as the applicant at whose desire the land is to be sold, instead of the names of Messrs. Saunders, Read, and Fergusson, whose application is cancelled.

This application of mine is an entirely private concern of my own; and I beg you will inform me whether the sale will go on in accordance with it or (in consequence of the representations of my employers regarding their claim) be for the present put off.

From *J. Stephen*, Esq., Manager for *Saunders, Read*, and *Fergusson*, Khola Tea Plantation, to Lieutenant *A. E. Campbell*, Officiating Deputy Commissioner of Nowgong; dated 8 October 1863.

With reference to your letter, No. 244, of the 3d instant, and to other former letters of the same term, I have the pleasure to send you 32 rupees, that the Sohoree grants may be advertised and put up to auction sale.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4826); dated 22 December 1863.

I am directed to acknowledge the receipt of your letter, No. 429, dated the 8th instant, with enclosures, and in reply to state that the directions given by Mr. Saunders to his agent, regarding the Deputy Commissioners' demand for the return of the amalnamah previously granted to him, had already been made known to the Lieutenant Governor in the petition forwarded by Mr. Saunders himself, and that the circumstances now reported are not such as to induce the Lieutenant Governor to modify his previous orders in favour of Mr. Paterson Saunders and his co-grantees.

2. A copy of Major Agnew's letter, with enclosures, has been sent through the Deputy Inspector General of Police, Assam, to Mr. Brownlow, for any explanation he may have to give of his proceedings in the case.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Deputy Inspector General of Police, Assam (No. 4825); dated 22 December 1863.

I am directed to forward you the accompanying copy of a letter* from the Officiating Commissioner of Assam, to the Secretary to the Board of Revenue, regarding certain waste land in Nowgong applied for by Mr. Paterson Saunders under the Rules of 1854, and to request that you will be so good as to call upon Mr. Brownlow for any explanation he may have to give of his proceedings in the case.

* No. 126, dated 16 ultimo, with enclosures.

— No. 55. —

From *R. B. Chapman*, Esq., Secretary to the Board of Revenue, to the Junior Secretary to the Government of Bengal (No. 426); dated 3 December 1863.

In reply to your No. 4354, dated 21st November, I am desired by the Board of Revenue respectfully to state, for the consideration of his Honor the Lieutenant Governor, their opinion that it is very unadvisable to issue title-deeds to grantees of waste lands, under the old rules, in anticipation of the preparation of maps.

2. The object with which maps are required is to enable the district officers to verify the boundaries stated in the application made for lands. It is the conviction of the Board that in the great majority of the cases, of which particulars are given in the statements referred to in your letter, the information at the disposal of the district officers is by no means sufficient to enable them to dispense with these maps.

3. Without having some such map before him the Board do not see how a district officer can be sure that he is not recommending the grant of the same land to different applicants.

Several cases in which serious complications have arisen from errors of this

nature have already come to the notice of the Board, and they deprecate any measure likely to make such occurrences more frequent.

4. As a general rule the boundaries stated in these applications are so vague and indefinite that the greatest precautions are needful to prevent confusion. Any attempt to press forward the completion of the grants without these precautions will, the Board are assured, give rise only to trouble and litigation, which will far outbalance the gain of avoiding a little longer delay. The delivery of the pottah will render impossible the further intervention of the revenue authorities.

5. An explanation of the mistakes noticed in your third paragraph will be furnished hereafter.

From *S. C. Bayley*, Esq., Junior Secretary to the Government of Bengal, to the Secretary to the Board of Revenue (No. 4920); dated 31 December 1863.

With reference to your letter No. 426, dated the 3d instant, stating the reasons why the Board consider it very unadvisable to issue title-deeds to grantees of waste lands under the old rules, in anticipation of the preparation of maps, I am to say that the Lieutenant Governor sees no objection to the grant of a provisional title-deed in anticipation of survey, provided the grantee will enter into an engagement to abide by the decision of the Collector in respect to the boundary of his grant, and as to the final adjustment of the purchase-money with reference to the area finally determined by survey.

2. By this means the further interference of the Collector will not be precluded, and at the same time the grants will have their full value in the market.

— No. 56. —

Revenue Letter from *Madras*, dated 22 May, No. 46 of 1863.

Right Honourable Sir,

1. We have the honour to forward copies of the rules which we have adopted for the sale of unassessed waste land in this Presidency, and of the forms of title-deeds to be given to purchasers of such lands, framed in accordance with the instructions conveyed in your Despatch to India, dated 9th July, No. 14 of 1862.

2. You will observe that we have fixed the maximum of agricultural lots under ordinary circumstances at 500 acres, and of building sites in towns, &c., at 10 acres; but we have provided that any person may apply for several contiguous lots each not exceeding these areas. In fixing these limits we have been guided by the circumstances of the Madras Presidency. As a general rule we have no large tracts, such as the Sunderbunds of Bengal, which it is an object to force into cultivation or to get cleared and improved at any sacrifice. The sale of lots of several thousand acres would preclude competition, as their price would be beyond the means of the bulk of the community, and facilities would be afforded for the monopoly of land by speculators in expectation of a rise in its value.

3. We have prescribed formalities prior to sale which will reduce to a minimum the chance of land being sold in ignorance of private claims upon it. The term of notice required before sale—viz., three clear months—is that prescribed in the Waste Lands Act, No. 23 of 1863.

4. We have included the cost of survey and demarcation, which are to precede sale, in the upset price, as the simplest way of realising it in cases where the purchaser may not be the original applicant.

5. We leave it optional with purchasers either to pay the full purchase-money within 30 days, and thereupon receive a freehold title, or to liquidate it in three equal

equal annual instalments bearing interest at six per cent. We observe that in the Bengal Rules the payment may be spread over 10 years, but this liberality appears to us far too great, and likely to encourage needy speculators rather than men of capital to become purchasers.

6. We have instructed the Collector and the Board of Revenue to exercise great caution in the sale of forest lands the timber on which is likely to be needed for railways or public purposes. Registers of such lands, as well as of other lands required for public or municipal purposes, are being prepared with a view to the careful reservation of all such tracts.

7. You will observe that the liability of all lands sold in freehold "to all general taxes and local rates payable by law or custom" is explicitly declared, and that we have also guarded the rights of Government and the public in streams, roads, and paths passing through or bounding lands so sold.

8. The Rules do not seem to call for any further remarks from us.

9. We have excepted the districts of Tanjore and Madras from the operation of these rules, in consequence of difficulties connected with the merassy tenure which prevails in them.

10. We give below the rates of upset price which we have fixed after communication with the local officers and the Board of Revenue:—

	FOREST LAND.	OPEN LAND.
Ganjam	2½ Rs. an acre	5 Rs. an acre.
Vizagapatam	5 - ditto	Not yet fixed.
Cuddapah	5 - ditto	2½ Rs. an acre.
Kurnool	10 - ditto for black cotton soil.	5 ditto for all other qualities of soil.
Nullamalays	5 Rs. an acre.	
North Arcot	5 - ditto	2½ Rs. an acre.
Trichinopoly	5 - ditto	2½ - ditto.
Madura, Pulnis	10 - ditto	5 - ditto.
Ditto in the Plains	5 - ditto	2½ - ditto.
Tinnevelly Hill ranges	10 - ditto	5 - ditto.
Ditto in the Plains, all kinds	2½ - ditto.	
Coimbatore (except Neilgherries)	5 - ditto	2½ - ditto.
Salem (except Shervaroys)	5 - ditto	2½ - ditto.

Considering the fact that most of the valuable culturable land of the Presidency is already assessed, and therefore beyond the scope of the rules, we have thought it undesirable to introduce a multiplicity of rates. The competition which the moderate size of our lots and the publicity attending the sales will ensure, will prevent lots of special value being sold below their real worth.

11. We also send herewith copies of our rules for the sale of waste lands on the Neilgherries and Shervaroys, and in the Wynaad Talook of Malabar. For the reasons stated in our Proceedings noted in the margin, we have thought it right to sell the waste land belonging to Government in these tracts on no other terms than payment of an annual assessment fixed in perpetuity, but redeemable at 25 years' purchase at the purchaser's option.

G. O. 6th December 1862, No. 2,554.
G. O. 23d December „ No. 2,677.
G. O. 21st February 1863, No. 375, para. 13.

12. These tracts, as you are aware, are already assessed. The assessment, it is true, did not vary with the quality of the land, being fixed on the principle of an average; but we do not consider that this makes it the less an "assessment," and we have therefore ruled that these tracts are beyond the scope of the Resolution of the Supreme Government. Further, the assessment is extremely light, the expenses of administration are very heavy, and the land bears a high value.

Under these circumstances we have resolved to sell the Government waste, not reserved for special reasons, by auction, subject to the assessments stated below, at the upset price of the cost of survey and demarcation.

13. We have fixed the assessment on the Neilgherries at 2 rupees per acre for forest and 1 rupee per acre for open land, the previous rate of 1 rupee on both descriptions being clearly much too low for the former, on which coffee and other valuable products are grown. We at first contemplated selling these lands at a minimum upset price in addition to the assessment, but further consideration satisfied us that this was inexpedient, and that competition at the auctions might safely be relied upon for bringing in the value of the land over and above the annual assessment.

14. In the Wynaad we have decided that for the future the Neilgherry system and rates shall be adopted. We thus get rid of the objectionable system of levying the assessment only on the cultivated area, with its evils of periodical inspection and the facilities it affords for land-jobbing. The returns from coffee, &c. are very large, and the land can well pay the rates we have fixed. On the other hand, the expenditure on public establishments, roads, ghâts, &c. is and will continue to be very heavy. Of course all existing rights will be scrupulously respected, and the new system will take effect only in lands hereafter bought from Government. On the Shervaroys we have retained the present rate of assessment, viz., 1 rupee per acre, the land there being much less valuable than on the Neilgherries and in Wynaad, and the expenses of administration comparatively trifling.

15. The rules of these excepted tracts differ from the others only in the reservation of the assessment and the absence of a minimum upset price.

	Acres.	
Ganjam	14,945	
Coimbatore	18,788	
Salem	21,890	
Malabar	25,000	
South Canara	5,172	(chiefly on ordinary system.)
Kurnool	4,100	
South Arcot	661	
Vizagapatam	428	
Cuddapah	342	
Madura	165	
Kistna	84	
Godavery	49	

16. The applications for land under the new rules are shown in the margin, and are large only in the first four districts. We have sanctioned survey establishments for Ganjam, Coimbatore, Malabar, and South Canara. In Salem, Kistna, and Kurnool the Revenue Survey is in progress, and in the other districts the applications are so trifling that the surveys may be effected by local agency.

G. O. 28th February 1863, No. 439.

17. In Malabar and Coimbatore, owing to the great difficulty experienced in procuring surveyors and the pressing applications for land, we have been obliged to permit the collectors at the outset to sell in anticipation of survey; but we have attached conditions to this concession which will preclude dispute hereafter, and will ensure the identification of the blocks. This privilege is only temporary, and will be withdrawn as soon as possible.

18. Owing to our having abstained from publishing the rules originally framed under the Resolution of the Supreme Government, and expressly instructed our collectors to do no more than register and notify applications, we have not had occasion to act on the authority given in paragraph 76 of your Despatch already quoted.

19. On the other subjects of your Despatch, viz., the redemption and permanent settlement of the land revenue, we shall address you separately hereafter.

We have, &c.
(signed) *W. T. Denison.*
J. H. Grant.
T. Pycroft.

Enclosure 1 in No. 56.

RULES for the SALE of UNASSESSED WASTE LAND in the MADRAS PRESIDENCY, passed by the Honourable the Governor in Council on 5 March 1863, and numbered 476.

I. UNASSESSED waste lands in which no rights of private proprietorship or exclusive occupancy exist, and which may not be reserved as hereinafter* provided, may, until further notice, be sold under the following rules.

* Rule 18.

II. Applications

II. Applications for land under these rules shall be addressed to the Collector of the district in which the lands are situated, and shall comprise the following particulars:—

(*a.*) The estimated area of the land applied for.

(*b.*) The situation of the land, and its boundaries as accurately as can be stated.

III. No lot shall exceed 500 acres, unless otherwise specially ordered by Government. Within towns, villages, hill stations, railway stations, and sanitaria, the maximum extent of a lot shall be 10 acres; but any person may apply for several contiguous lots, each not exceeding the above limits.

IV. Every lot shall be compact, and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public road, navigable river, canal, backwater, railway or tramway, the length of the road or water frontage shall not exceed one-half of the depth of the lot.

V. No lot shall be sold until it has been surveyed and durable boundary marks have been erected.

VI. If on receipt of an application under Rule II., the Collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land, and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The Collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and the depositor shall pay any deficiency.

VII. If the applicant fails to deposit the sum required under Rule VI., within six weeks from the date of demand, his application shall be null and void.

VIII. On receipt of the deposit required under Rule VI., the Collector shall as soon as possible cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule III., and shall advertise the lot for sale on a given day (to be fixed so as to admit of the notice required in Rule IX. being given), at the minimum price prescribed for the locality, or for the peculiar descriptions of land selected, as the case may be, together with the actual cost of survey and demarcation.

IX. The advertisement shall be in English and in the vernacular of the district, and shall specify the locality, extent, and boundaries of the lot, the upset price, and the place, time, and conditions of sale. It shall be posted for three clear months on the land itself, as well as in the neighbouring villages, in the offices of the Collector and the Tahsildar of the talook, the moonsiff's Court (if there be one), and the nearest police office. A notification of the intended sale shall also be inserted in the district gazette. The Collector shall, at his discretion, fix the time and place of sale, and may alter both if necessary, provided that not less than 14 days' notice be publicly given of every such alteration, and that no land be sold until it has been advertised, as aforesaid, for three full months.

X. The Collector shall send written notice of the place and time of sale, as also of any alteration under the provisions of Rule IX., to the applicant; but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

XI. An applicant withdrawing his application prior to the sale of the land will be entitled to the refund of so much only of his deposit under Rule VI. as may not be expended. If after survey, at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them, as well as of surveying any excess beyond the limits prescribed in Rule III.

XII. On the withdrawal of an application, it shall be discretional with the Collector to proceed with the sale of the land or not, as he considers best for the public interests.

XIII. The upset price shall in all cases include the cost of the survey and of the erection of durable boundary marks. If the original applicant be the purchaser, he shall receive credit for his deposit or payment, otherwise the amount shall be repaid to him at once from the sale proceeds.

XIV. If before the time of sale no claim of private proprietorship or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules be preferred to the land, the lot shall as advertised be put up to auction, and sold to the highest bidder above the upset price.

XV. The successful bidder shall, immediately on the sale being declared, pay down 10 per cent. of the price. The residue of the purchase money may at the option of the purchaser be paid in full within 30 days; or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of 6 per cent. per annum. In the former case, on payment of the residue of the purchase money, a deed, in the Form A. annexed to these rules, shall be furnished to the purchaser and possession given. In the latter case the land will remain hypothecated to Government as security for the punctual discharge of the unpaid principal and interest as they fall due, and on default of any such payment the Government may re-enter, and repossess themselves of the land, or, at their option, the land may be resold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase money by instalments, he shall not receive possession until he has duly executed the Deed marked B. annexed to these rules. When the conditions of Deed B. have been duly fulfilled, a deed, in the Form A., will be issued in lieu of it

XVI. The sale shall be conducted under and subject to the following conditions of sale :—

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding, and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the Collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the Collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council, under date the 5th day of March 1863, No. 476, and shall at the same time sign an acknowledgment in one of the Forms C. or D. (as the case may require) annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall within 30 days from the day of sale pay to the said Collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the Form marked A. annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall within 10 days from the day of sale execute a deed, in the Form marked B. annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises, as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within 30 days, and if, from any cause whatever, the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect for 10 days from the day of sale to execute a deed in the Form marked B. annexed to the said rules, then the purchaser shall pay to the Collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money from the day of sale, until the purchase shall be completed in the one case; or until a deed in the Form B. be executed in the other case; without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited and retained by Government, and the Government shall be at liberty to resell the premises, either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

XVII. If before the time of sale a claim of private proprietorship, or of exclusive occupancy, or of any other right, incompatible with the sale of land under these rules, shall be preferred to the land or any part of it, the Collector shall postpone the sale of the land until such claim shall be disposed of in due course of law.

XVIII. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. A register of such reserves will be maintained in the Collector's office, and will be open to inspection by intending applicants at such times and under such rules as the Collector may prescribe by notification in the district gazette.

XIX. Land

XIX. Lands sold under these rules shall be for ever free from all demand on the part of the State on account of land revenue, but shall nevertheless continue subject to all general taxes and local rates payable by law or custom.

XX. The existing and customary rights of Government, of other proprietors, and of the public in existing roads and paths, and in streams running through or bounding lands sold under these rules, are reserved and in no way affected by the sale of such lands under these rules.

XXI. Nothing contained in these rules shall be held to debar the Government from granting unassessed waste lands on Puttah, Cowle, or otherwise at their discretion as heretofore.

XXII. It shall be competent to the Government to except the whole, or any part of any district from the operation of these rules.

FORM OF DEED.

No.

(A.)

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) Between the Right Honourable the Secretary of State for India in Council of the one part and (*A.B.*) of in the district of (*b*) of the other part Whereas, under the rules for the sale of unassessed waste land passed by the Honourable the Governor of Fort St. George in Council on the fifth day of March 1863 and numbered 476 the Collector of did on the (*a*) day of (*a*) One thousand eight hundred and sixty (*a*) offer for sale by public auction the land described in the schedule hereunder written And whereas at such sale the said (*A.B.*) offered the sum of rupees (*a*) for such land and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained And whereas previously to the execution of these presents the said (*A.B.*) has paid into the treasury of the said Collector to the credit of Her Majesty's Government of India the full sum of rupees (*a*) Now this Indenture witnesseth that in consideration of the said sum of rupees (*a*) so paid by the said (*A.B.*) the receipt whereof is hereby acknowledged the said Secretary of State in Council doth sell alien enfranchise and convey unto the said (*A.B.*) the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of in the Collectorate of bounded as mentioned in the schedule hereunder written and delineated in the map or plan hereunto annexed together with all erections and buildings (if any) thereon erected and built And all products both above and below the surface ways paths passages waters water-courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining Except and always reserved out of these presents all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the land and premises hereby conveyed in all existing roads and paths and in streams of water running through or bounding the land and premises hereby conveyed To hold the said land and premises hereby conveyed with the appurtenances to the said (*A.B.*) his heirs personal representatives and assigns for ever free from all demand on the part of Her Majesty for or on account of quit-rent assessment land tax or other land revenue But subject nevertheless to all general taxes and local rates now existing or which at any time hereafter may be imposed by law and to the covenant hereinafter contained And the said (*A.B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns that he the said (*A.B.*) his heirs personal representatives and assigns will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises hereby conveyed In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council And the said (*A.B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the abovewritten Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort St. George in Council was hereunto affixed in the presence of } L. S.

Secretary to Government.

Signed, sealed, and delivered by the above-named (*A.B.*) at in the East Indies in the presence of (*d*) } Signature of (*A.B.*) L. S.

Received from the above-named (*A.B.*) the sum of rupees (*a*) being the consideration money above-mentioned to be by him paid - - - - - - - } Rupees (*c*)

Witness (*d*)

Collector of

(*a*) Enter in words.
(*b*) Add the purchaser's trade or occupation or other description.
(*c*) Enter in figures.
(*d*) One witness will suffice—his place of residence as also his occupation or other description must be written under his name.

FORM OF DEED.

No.

(B.)

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A.B.*) of in the district of (*b*) , of the other part Whereas under the rules for the sale of unassessed waste land passed by the Honourable the Governor of Fort Saint George in Council on the fifth day of March 1863 and numbered 476 the Collector of did on the (*a*) day of (*a*) One thousand eight hundred and sixty (*a*) offer for sale by public auction the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of in the Collectorate of bounded as mentioned in the Schedule hereunder written and delineated in the map or plan hereunto annexed And whereas at such sale the said (*A.B.*) offered the sum of rupees (*a*) for such land and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained And whereas at the time of such sale the said (*A.B.*) paid to the said Collector the sum of rupees (*a*) being the amount of deposit at the rate of 10 rupees per centum on the said purchase money as required by the said rules and under the provision contained in those rules has elected to pay the balance of such purchase money amounting to the sum of rupees (*a*) in three yearly instalments of rupees (*c*) each with interest on such balance or on such part thereof as shall from time to time remain unliquidated at the rate of six rupees per centum per annum Now this Indenture witnesseth that in consideration of the said sum of rupees (*d*) so paid to the said Collector as hereinbefore-mentioned (the receipt whereof is hereby acknowledged) and of the covenants on the part of the said (*A.B.*) hereinafter contained The said Secretary of State in Council for himself his successors and assigns doth hereby covenant

covenant with the said (*A.B.*) his heirs personal representatives and assigns that on payment by the said (*A.B.*) his heirs personal representatives or assigns of the said sum of rupees (*e*) with interest thereon as hereinmentioned He the said Secretary of State in Council his successors or assigns will convey unto the said (*A.B.*) his heirs personal representatives and assigns for ever the said land and premises together with all erections and buildings (if any) thereon erected and built and all products both above and below the surface ways paths passages waters water-courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining Excepting nevertheless all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the said land and premises purchased as aforesaid in all existing roads and paths and in streams of water running through or bounding the purchased land and premises to be held by the said (*A.B.*) his heirs personal representatives and assigns free from all demand on the part of Her Majesty for or on account of quit-rent assessment land tax or other land revenue But subject nevertheless to all general taxes and local rates now existing or which at any time hereafter may be imposed by law and to the observance of the several conditions in the said rules contained And the said (*A.B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) That he the said (*A.B.*) his heirs personal representatives and assigns will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises so purchased And further that he the said (*A.B.*) his heirs personal representatives and assigns will on the (*f*) day of (*f*) which will be in the year One thousand eight hundred and sixty (*f*) pay or cause to be paid to the said Secretary of State in Council his successors or assigns the sum of rupees (*c*) of lawful money of British India and on the (*g*) day of (*g*) which will be in the year One thousand eight hundred and sixty (*g*) a like sum of rupees (*c*) and on the (*h*) day of (*h*) which will be in the year One thousand eight hundred and sixty (*h*) a like sum of rupees (*c*) of like lawful money And also will pay to the said Secretary of State in Council his successors or assigns interest at the rate of six rupees per centum per annum on the said balance of the said purchase money or sum of rupees (*e*) or on such part thereof as shall from time to time remain unpaid by two equal half-yearly payments on the (*a*) day of (*a*) and the (*a*) day of (*a*) in each year together with a proportionate part of like interest until the said balance shall be fully paid or satisfied or until the said Secretary of State in Council shall obtain possession of the said land and premises under the provisions hereinafter contained and it is hereby declared and agreed by and between the said parties hereto that until default shall be made by the said (*A. B.*) his heirs personal representatives or assigns in payment of the said instalments or any of them or any part thereof respectively or of the said interest or any part thereof it shall be lawful for the said (*A. B.*) his heirs personal representatives and assigns peaceably and quietly to occupy possess and enjoy the said land and premises so purchased and receive and take the rents issues and profits thereof to and for his and their own use and benefit and the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby further covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said instalments or any or either of them or any part thereof respectively or in payment of the interest hereinbefore covenanted to be paid or any part thereof as and when such instalments and interest shall respectively become due then and in such case and within one month after demand of possession shall have been made on him or them by or on behalf of the said Secretary of State in Council his successors or assigns he the said (*A. B.*) his heirs personal representatives and assigns will deliver to any person authorised by an order passed by the Governor of Fort Saint George for the time being in Council to receive the same the quiet and peaceable possession of the said land and premises together with all erections and buildings which now are or which at any time between the date of these presents and such delivery of possession may be erected and built or standing on the said land and all improvements made to the said land in the meantime and moreover that in the event of such default being made by the said (*A. B.*) his heirs personal representatives and assigns or in case of the breach or non-performance of any of the covenants and agreements herein contained on the part of the said (*A. B.*) his heirs personal representatives and assigns it shall be lawful for the said Secretary of State in Council his successors or assigns at any time thereafter to resell the said premises either by public auction or private contract and if on such resale the said premises should be sold for a sum less than the said sum of rupees (*i*) he the said (*A. B.*) his heirs personal representatives and assigns will pay to the said Secretary of State in Council his successors or assigns the difference between the sum for which such premises shall be resold and the said sum of rupees (*i*) or it shall be lawful for the said Secretary of State in Council his successors or assigns at any time after such default or breach into and upon the said land and premises or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as in his and their former estate anything hereinbefore contained to the contrary notwithstanding.

In witness whereof the Honourable the Governor of Fort St. George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor

in Council and the said (*A. B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the above written Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The Seal of the Honourable the Governor of Fort St. George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to Government.

Signed, sealed, and delivered by the abovenamed (*A. B.*) at in the East Indies, in the presence of } Signature of (*A. B.*) (L. S.)

(*j*)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money abovementioned to have been by him paid } *Rupees* (*k*)

Witness (*j*)

Collector of

(*a*) Enter in words.
(*b*) Add the trade occupation or other description of the purchaser.
(*c*) Enter one-third of purchase money after deducting the deposit of 10 per cent. in words.
(*d*) Enter the deposit of 10 per cent. in words.
(*e*) Enter the full purchase money after deducting the deposit of 10 per cent. in words.
(*f*) Twelve months from date of purchase, in words.
(*g*) Twenty-four months from date of purchase, in words.
(*h*) Thirty-six months from date of purchase, in words.
(*i*) The sum for which the premises were knocked down, in words.
(*j*) The place of residence, as also the occupation or other description of the witness must be written under his name.
(*k*) Enter in figures.

FORM (C.)

I (*A. B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed* notice, dated the day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) , and that I was declared the purchaser thereof at that price under and subject to the conditions of sale set out in the said notice. I have paid to the Collector of , the sum of rupees (*a*) , being a deposit of ten rupees per cent. in part of my purchase money, and I elect to pay the residue thereof within thirty days from this day. Dated the (*a*) day of (*a*) , one thousand eight hundred and sixty (*a*).

Signature of (*A. B.*)

Witness, (*b*)

---

* Be careful to annex a copy of the notice, signed by the purchaser and collector, to the Form C.

(*a*) Enter in words.
(*b*) The place of residence, as also the occupation or other description of the witness, must be written under his name.

FORM (D.)

I (*A. B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed* notice, dated the day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) and that I was declared the purchaser thereof at that price, under and subject to the conditions of sale set out in the said notice. I have paid to the collector of , the sum of rupees (*a*) , being a deposit of ten rupees per cent. in part of my purchase money, and I elect to pay the residue thereof in three yearly instalments of rupees (*a*) each, with interest thereon at the rate of six rupees per cent. per annum, as prescribed by the rules passed by the Honourable the Governor in Council on the 5th March 1863, and numbered 476. Dated the (*a*) day of (*a*) 186 .

Signature of (*A. B.*)

Witness, (*b*)

---

* Be careful to annex a copy of the notice, signed by the purchaser and collector, to the Form D.

(*a*) Enter in words.
(*b*) The place of residence, as also the occupation or other description of the witness must be written under his name.

FORM (E.)

(FORM OF ADVERTISEMENT.)

Notice No.

District of

Sale of Unassessed Waste Lands.

1. Notice is hereby given, that the lands hereunder specified will be put up to auction at (under the Government rules for the sale of waste lands, dated 5th March 1863, No. 476), and sold to the highest bidder above the upset price or prices enumerated in the following schedule at o'clock on the day of 186 .

2. All parties having claims on the said lands, incompatible with the sale as herein notified, are hereby required to prefer their claims on or before the day aforesaid to the undersigned :—

Schedule of Lands to be Sold.

District.	Talook.	Village.	No. of Lot.	Name (if any) and Boundaries.	Extent.	Upset Price.

The sale will be made subject to the following conditions :—

CONDITIONS OF SALE.

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding, and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the Collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the Collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council under date the 5th day of March 1863, No. 476, and shall at the same time sign an acknowledgment in one of the Forms C. or D. (as the case may require) annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall, within 30 days from the day of sale, pay to the said Collector the residue

residue of his purchase money, and shall thereupon receive a conveyance of the premises in the Form marked A. annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall, within 10 days from the day of sale, execute a deed in the form marked B. annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within 30 days, and if, from any cause whatever, the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect for 10 days from the day of sale to execute a deed in the Form marked B. annexed to the said rules, then the purchaser shall pay to the Collector interest at the rate of 12 rupees per cent. per annum on the remainder of his purchase money from the day of sale until the purchase shall be completed in the one case; or until a deed in the Form B. be executed in the other case; without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited, and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

Dated

Collector of

Enclosure 2, in No. 56.

Encl. 2, in No. 55.

RULES for the SALE of WASTE LANDS on the NEILGHERRY HILLS, passed by the Honourable the Governor in Council on 6 March 1863, and Numbered 478 A.

* Rule 18.

I. WASTE lands in which no rights of private proprietorship or exclusive occupancy exist, and which may not be reserved as hereinafter* provided, may, until further notice, be sold under the following rules.

II. Applications for land under these rules shall be addressed to the Collector of the Coimbatore District, and shall comprise the following particulars:—

(*a.*) The estimated area of the land applied for.

(*b.*) The situation of the land and its boundaries as accurately as can be stated.

III. No lot shall exceed 500 acres unless otherwise specially ordered by Government. Within towns and villages, the maximum extent of a lot shall be 10 acres. But any person may apply for several contiguous lots, each not exceeding the above limits.

IV. Every lot shall be compact, and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public road or river, the length of the road or water frontage shall not exceed one half of the depth of the lot.

V. No lot shall be sold until it has been surveyed and durable boundary marks have been erected.

VI. If on receipt of an application under Rule II. the Collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The Collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and the depositor shall pay any deficiency.

VII. If the applicant fails to deposit the sum required under Rule VI. within six weeks from the date of demand, his application shall be null and void.

VIII. On receipt of the deposit required under Rule VI., the Collector shall, as soon as possible, cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule III., and shall advertise the lot for sale on a given day, to be fixed so as to admit of the notice required in Rule IX. being given.

IX. The

IX. The advertisement shall be in English and Tamil, and shall specify the locality, extent, and boundaries of the lot, the aggregate annual assessment, and the place, time, and conditions of sale. It shall be posted for three clear months on the land itself as well as in the neighbouring villages, in the offices of the Collector and the tahsildar of the talook, and the nearest police office. A notification of the intended sale shall also be inserted in the District Gazette. The Collector shall, at his discretion, fix the time and place of sale, and may alter both if necessary, provided that not less than 14 days' notice be publicly given of every such alteration, and that no land be sold until it has been advertised, as aforesaid, for three full months.

X. The Collector shall send written notice of the place and time of sale, as also of any alteration under the provisions of Rule IX., to the applicant: but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

XI. An applicant withdrawing his application prior to the sale of the land will be entitled to the refund of so much only of his deposit, under Rule VI., as may not be expended. If after survey, at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expenses of surveying them, as well as of surveying any excess beyond the limits prescribed in Rule III.

XII. On the withdrawal of an application, it shall be discretional with the Collector to proceed with the sale of the land or not, as he considers best for the public interests.

XIII. The upset price shall in all cases be merely the cost of the survey and of the erection of durable boundary marks. If the original applicant be the purchaser, he shall receive credit for his deposit or payment; otherwise the amount shall be repaid to him at once from the sale-proceeds.

XIV. If before the time of sale no claim of private proprietorship or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules, be preferred to the land, the lot shall as advertised be put up to auction and sold to the highest bidder above the upset price subject to an annual assessment, payable on or before the 30th June of each and every year, of 1 rupee for each acre of land contained in the lot.

XV. The successful bidder shall, immediately on the sale being declared, pay down 10 per cent. of the price. The residue of the purchase-money may at the option of the purchaser be paid in full within 30 days, or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of six per cent. per annum. In the former case, on payment of the residue of the purchase-money, a deed in the form X. annexed to these rules shall be furnished to the purchaser, and possession given. In the latter case the land will remain hypothecated to Government as security for the punctual discharge of the unpaid principal and interest as they fall due, and on default of any such payment the Government may re-enter and repossess themselves of the land, or, at their option, the land may be resold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase-money by instalments, he shall not receive possession until he has duly executed the deed marked Y. annexed to these rules. When the conditions of Deed Y. have been duly fulfilled, a deed in the form X. will be issued in lieu of it.

XVI. The sale shall be conducted under and subject to the following conditions of sale:—

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises; and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again, at the last preceding undisputed bidding, and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the Collector a deposit of 10 rupees per centum, in part of his purchase-money, and intimate to the Collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council under date the 6th day of March 1863, No. 478 A., and shall at the same time sign an acknowledgment in one of the forms U. or V. (as the case may require) annexed to the said Rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase-money within 30 days, he shall, within 30 days from the day of sale, pay to the said Collector the residue of his purchase-money, and shall thereupon receive a conveyance of the premises in the form marked X. annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase-money by three yearly instalments, he shall, within ten days from the day of sale, execute a deed in the form marked Y. annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as, by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises, as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within thirty days, and if, from any cause whatever, the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect, for ten days from the day of sale, to execute a deed in the form marked Y. annexed to the said rules, then the purchaser shall pay to the Collector interest, at the rate of 12 rupees

rupees per cent. per annum, on the remainder of his purchase-money, from the day of sale, until the purchase shall be completed, in the one case, or until a deed in the form Y. be executed in the other case, without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit-money shall be forfeited, and retained by Government; and the Government shall be at liberty to resell the premises, either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale who shall so neglect or refuse, as and for liquidated damages."

XVII. If, before the time of sale, a claim of private proprietorship, or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules, shall be preferred to the land, or any part of it, the Collector shall postpone the sale of the land, until such claim shall be disposed of in due course of law.

XVIII. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules, without the express sanction of the Government. A register of such reserves will be maintained in the Collector's Office, and will be open to inspection by intending applicants, at such times, and under such rules, as the Collector may prescribe by notification in the District Gazette.

XIX. The annual assessment on lands sold under these rules may at any time be redeemed by the owner, by payment of a sum equal to twenty-five times the said annual assessment; and the land so redeemed shall thereafter be for ever free from all demand, on the part of the State, on account of land revenue. On payment of the redemption money, the owner of the land shall be furnished with a deed in the form Z. annexed to these rules.

XX. Arrears of annual assessment shall be recoverable in the same manner as arrears of ryotwary land revenue are, or may be recoverable by the law for the time being in force in the Madras Presidency.

XXI. Lands sold or redeemed under these rules shall, nevertheless, continue subject to all general taxes and local rates payable by law or custom.

XXII. The existing and customary rights of Government, of other proprietors, and of the public, in existing roads and paths, and in streams running through or bounding lands sold under these rules, are reserved and in no way affected by the sale of such lands under these rules.

XXIII. Nothing contained in these rules shall be held to debar the Government from granting waste land on puttah, cowle, or otherwise at their discretion as heretofore.

(X.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A.B.*) of in the district of (*b*) of the other part Whereas under the Rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the sixth day of March 1863 and numbered 478 A the Collector of Coimbatore did on the (*a*) day of One thousand eight hundred and sixty (*a*) offer for sale by public auction the land described in the Schedule hereunder written subject to an annual assessment in perpetuity on the said land of rupees (*a*) and whereas at such sale the said (*A.B.*) offered the sum of rupees (*a*) for such land subject to such assessment and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained and whereas previously to the execution of these presents the said (*A.B.*) has paid into the Treasury of the said Collector to the credit of Her Majesty's Government of India the full sum of rupees (*a*) Now this Indenture witnesseth that in consideration of the said sum of rupees (*a*) so paid by the said (*A.B.*) (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth sell alien and convey unto the said (*A.B.*) the piece or parcel of land containing British statute acres (*a*) situated on the Shervaroy Hills in the collectorate of Salem bounded as mentioned in the Schedule hereunder written and delineated in the map or plan hereunto annexed together with all erections and buildings (if any) thereon erected and built and all products both above and below the surface ways paths passages waters watercourses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining except and always reserved out of these presents all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the land and premises hereby conveyed in all existing roads and paths and in streams of water running through or bounding the land and premises hereby conveyed to hold the said land and premises hereby conveyed with the appurtenances to the said (*A.B.*) his heirs personal representatives and assigns for ever subject nevertheless to the payment by the said (*A.B.*) his heirs personal representatives and

and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*a*) on or before the thirtieth day of June in each year and likewise subject to the payment by the said (*A.B.*) his heirs personal representatives and assigns of all general taxes and local rates now existing or which at any time hereafter may be imposed by law as also to the covenants and conditions hereinafter contained and the said (*A.B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A.B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the thirtieth day of June in each year the said sum of rupees (*a*) and likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises hereby conveyed And further that in case he the said (*A.B.*) his heirs personal representatives or assigns shall make default in payment of the said annual assessment of rupees (*a*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained then and in such case and so often as the same shall happen the said assessment of rupees (*a*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as ryotwary land revenue is now or at any time hereafter may be recoverable Provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*c*) of lawful money of British India and that immediately after such payment the land and premises hereby conveyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council And the said (*A. B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the above-written Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort St. George in Council was hereunto affixed in the presence of } (L.S.)

Secretary to Government.

Signed, sealed, and delivered by the abovenamed (*A. B.*) at in the East Indies in the presence of (*d*) } Signature of (*A. B.*) (L.S.)

Received from the abovenamed (*A. B.*) the sum of rupees (*a*) being the consideration money above-mentioned to be by him paid. Rpees (*e*)

Witness (*d*)

Collector of Coimbatore.

(*a*) Enter in words.
(*b*) Add the purchaser's trade or occupation, or other description.
(*c*) Enter twenty-five times the annual assessment, in words.
(*d*) One witness will suffice. His place of residence, as also his occupation or other description must be written under his name.
(*e*) Enter in figures.

(Y.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the district of (*b*) of the other part Whereas under the Rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the sixth day of March One thousand eight hundred and sixty-three and numbered 478A the Collector of Coimbatore did on the (*a*) day of One thousand eight hundred and sixty (*a*) offer for sale by public auction the piece or parcel of land containing British statute acres (*a*) situated in the village of in

the talook of in the collectorate of Coimbatore bounded as mentioned in the Schedule hereunder written and delineated in the map or plan hereunto annexed, subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*f*) on or before the 30th day of June in each year And whereas at such sale the said (*A. B.*), offered the sum of rupees (*l*) for such land, subject to such assessment and being the highest bidder was declared to be the purchaser thereof, according to the terms and conditions in such rules contained And whereas at the time of such sale the said (*A. B.*) paid into the hands of the said Collector the sum of rupees (*a*) being the amount of deposit at the rate of ten rupees per cent. on the said purchase-money as required by the said Rules and under the provision contained in those Rules has elected to pay the balance of such purchase-money amounting to the sum of rupees (*c*) in three yearly instalments of rupees (*d*) each with interest on such balance or on such part thereof as shall from time to time remain unliquidated at the rate of six rupees per cent. per annum Now this indenture witnesseth that in consideration of the said sum of rupees (*e*) so paid to the said Collector as hereinbefore mentioned (the receipt whereof is hereby acknowledged) and of the covenants on the part of the said (*A. B.*) hereinafter contained The said Secretary of State in Council for himself his successors and assigns doth hereby covenant with the said (*A. B.*) his heirs personal representatives and assigns that on payment by the said (*A. B.*) his heirs personal representatives or assigns of the said sum of rupees (*c*) with interest thereon as herein mentioned he the said Secretary of State in Council his successors or assigns will convey unto the said (*A. B.*) his heirs personal representatives and assigns for ever the said land and premises together with all erections and buildings (if any) thereon erected and built and all products both above and below the surface ways paths passages waters watercourses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining excepting nevertheless all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the said land and premises purchased as aforesaid in all existing roads and paths and in streams of water running through or bounding the purchased land and premises to be held by the said (*A. B.*) his heirs personal representatives and assigns subject to the payment of the said yearly sum of rupees (*f*) on the 30th day of June in each year as hereinbefore mentioned And likewise subject to all general taxes and local rates now existing or which at any time hereafter may be imposed by law and to the observance of the several conditions in the said Rules contained And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A. B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the 30th day of June in each year the said sum of rupees (*f*) And likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises so purchased And further that he the said (*A. B.*) his heirs personal representatives and assigns will on the (*g*) day of (*g*) which will be in the year One thousand eight hundred and sixty (*g*) pay or cause to be paid to the said Secretary of State in Council his successors or assigns the sum of rupees (*d*) of lawful money of British India and on the (*h*) day of (*h*) which will be in the year One thousand eight hundred and sixty (*h*) a like sum of rupees (*d*) and on the (*i*) day of (*i*) which will be in the year One thousand eight hundred and sixty (*i*) a like sum of rupees (*d*) of like lawful money And also will pay to the said Secretary of State in Council his successors or assigns interest at the rate of six rupees per cent. per annum on the said balance of the said purchase-money or sum of rupees (*c*) or on such part thereof as shall from time to time remain unpaid by two equal half-yearly payments on the (*j*) day of (*j*) and the (*k*) day of (*k*) in each year together with a proportionate part of like interest until the said balance shall be fully paid or satisfied or until the said Secretary of State in Council shall obtain possession of the said land and premises under the provisions hereinafter contained And it is hereby declared and agreed by and between the parties hereto that until default shall be made by the said (*A. B.*) his heirs personal representatives or assigns in payment of the said annual assessment or sum of rupees (*f*) as and when the same shall become payable under the covenant hereinbefore contained or in payment of the said instalments or any of them or any part thereof respectively or of the said interest or any part thereof it shall be lawful for the said (*A. B.*) his heirs personal representatives and assigns peaceably and quietly to occupy possess and enjoy the said land and premises so purchased and receive and take the rents issues and profits thereof to and for his and their own use and benefit And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby further covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said instalments or any or either of them or any part thereof respectively or in payment of the interest hereinbefore covenanted to be paid or any part thereof as and when such instalments and interest shall respectively become due then and in such case and within one month after demand of possession shall have been made on him or them by or on behalf of the said Secretary of State in Council his successors or assigns he the said (*A. B.*) his heirs personal representatives

sentatives and assigns will deliver to any person authorised by an order passed by the Governor of Fort Saint George for the time being in Council to receive the same the quiet and peaceable possession of the said land and premises together with all erections and buildings which now are or which at any time between the date of these presents and such delivery of possession may be erected and built or standing on the said land and all improvements made to the said land in the meantime And moreover that in the event of such default being made by the said (*A. B.*) his heirs personal representatives and assigns or in case of the breach or non-performance of any of the covenants and agreements herein contained on the part of the said (*A. B.*) his heirs personal representatives and assigns it shall be lawful for the said Secretary of State in Council his successors or assigns at any time thereafter to resell the said premises either by public auction or private contract and if on such resale the said premises should be sold for a sum less than the said sum of rupees (*l*) he the said (*A. B.*) his heirs personal representatives and assigns will pay to the said Secretary of State in Council his successors or assigns the difference between the sum for which such premises shall be resold and the said sum of rupees (*l*) or it shall be lawful for the said Secretary of State in Council his successors or assigns at any time after such default or breach into and upon the said land and premises or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as in his and their former estate anything hereinbefore contained to the contrary notwithstanding And further that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said annual assessment of rupees (*f*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained Then and in such case and so often as the same shall happen the said assessment of rupees (*f*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as ryotwary land revenue is now or at any time hereafter may be recoverable Provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*m*) of lawful money of British India and that immediately after such payment the land and premises hereby conveyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council and the said (*A. B.*) hath set his hand and seal the day and year first above written

The SCHEDULE to which the above written Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L.S.)

Secretary to Government.

Signed, sealed, and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*n*) } Signature of (*A. B.*)

(L.S.)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money above-mentioned to have been by him paid. } (*o*) Rupees

Witness (*n*)

Collector of Coimbatore.

(*a*) Enter in words.
(*b*) Add the trade, occupation or other description of the purchaser.
(*c*) Enter purchase-money after deducting the deposit, in words.
(*d*) Enter one-third of purchase money after deducting the deposit, in words.
(*e*) Enter the deposit in words.
(*f*) Enter the assessment in words.
(*g*) Twelve months from date of purchase, in words.
(*h*) Twenty-four months from date of purchase, in words.
(*i*) Thirty-six months from date of purchase, in words.
(*j*) Six months from day of sale. Enter only the day and month, not the year.
(*k*) Twelve months from day of sale. Enter only the day and month, not the year.
(*l*) The sum for which the premises were knocked down, in words.
(*m*) Twenty-five times the annual assessment, in words.
(*n*) One witness will suffice. Enter his residence, as also his occupation or other description under his name.
(*o*) Enter in figures.

(Z.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council, of the one part, and (*A. B.*) of in the district of (*b*) of the other part. Whereas by an indenture dated the (*a*) day of One thousand eight hundred and sixty (*a*) and made between the said Secretary of State of the one part and the said (*A. B.*) of the other part the said Secretary of State for the considerations therein mentioned did sell alien and convey unto the said (*A. B.*) his heirs personal representatives and assigns for ever the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of in the Collectorate of Coimbatore bounded as mentioned in the schedule thereunder written and delineated in the map or plan thereunto annexed with the appurtenances subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns of the annual assessment or sum of rupees (*a*) and to the payment of all general taxes and local rates then existing or which at any time thereafter might be imposed by law as also to the several exceptions covenants and conditions therein contained and in and by such reciting Indenture it was declared and agreed that the said (*A. B.*) his heirs personal representatives and assigns should be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*a*) and that immediately thereafter the said land and premises should be for ever free from all demand for land revenue And whereas the said (*A. B.*) under the said provision hath paid into the Treasury of the Collector of to the credit of Her Majesty's Government of India the said sum of rupees (*a*) and hath requested that the said land may be declared to be for ever hereafter absolutely freed and discharged from the payment of the said sum of rupees (*a*) and of all land revenue payable thereon and that the said land may be likewise declared to be and continue as freehold Now this Indenture witnesseth that in pursuance of the said provision and in consideration of the said sum of rupees (*a*) so paid by the said (*A. B.*) as hereinbefore mentioned (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth remise release and for ever quit claim unto the said (*A. B.*) his heirs personal representatives and assigns the said annual assessment or sum of rupees (*a*) And further doth declare that the said land and premises may for ever be held as freehold fully and absolutely enfranchised exonerated acquitted and discharged by these presents from all demand on the part of Her Majesty for or on account of quitrent assessment land tax or other land revenue Provided always and it is hereby declared and agreed by and between the parties hereto that in all other respects the said land and premises shall be subject to the several exceptions reservations covenants and conditions in the hereinbefore in part recited Indenture contained In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the Seal of the said Governor in Council And the said (*A. B.*) hath set his hand and seal the day and year first above written.

The Seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L.S.)

Secretary to Government.

Signed sealed and delivered by the above named (*A. B.*) at in the East Indies in the presence of (*c*) } Signature of (*A. B.*) (L.S.)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money above-mentioned to have been by him paid } Rupees (*d*)

Witness (*c*)

Collector of Coimbatore.

(*a*) Enter in words.
(*b*) Enter the trade, occupation, or other description of the purchaser.
(*c*) One witness will suffice. Enter his trade, occupation, or other description.
(*d*) Enter in figures.

FORM (U.)

I (*A.B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed* notice dated the (*a*) day of 186 No. and that I bid for the premises therein specified and distinguished as lot No. the sum of rupees (*a*) and that I was declared the purchaser thereof at that price under and subject to the conditions of sale set out in the said notice I have paid to the Collector of the sum of rupees (*a*) being a deposit of 10 rupees per cent. in part of my purchase money and I elect to pay the residue thereof within thirty days from this day Dated the (*a*) day of one thousand eight hundred and sixty (*a*.)

WITNESS (*b*) Signature of (*A.B.*)

FORM (V.)

I (*A.B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed* notice dated the (*a*) day of 186 No. and that I bid for the premises therein specified and distinguished as lot No. the sum of rupees (*a*) and that I was declared the purchaser thereof at that price under and subject to the conditions of sale set out in the said notice I have paid to the Collector of the sum of rupees (*a*) being a deposit of ten rupees per cent. in part of my purchase money and I elect to pay the residue thereof in three yearly instalments of rupees (*a*) each with interest thereon at the rate of six rupees per cent. per annum as prescribed by the rules passed by the Honourable the Governor in Council on the sixth March 1863 and numbered 478A dated the (*a*) day of one thousand eight hundred and sixty (*a*)

WITNESS (*b*) Signature of (*A.B.*)

(*a*) Enter in words.

(*b*) The place of residence, as also the occupation or other description of the witness, must be written under his name.

FORM (W.)

(FORM OF ADVERTISEMENT.)

Notice No.

District of Coimbatore.

Sale of Waste Lands.

1. Notice is hereby given that the lands hereunder specified will be put up to auction at (under the Government rules for the sale of waste lands dated 6th March 1863, No. 478A.) and sold subject to annual payment of the assessment specified below to the highest bidder above the upset price or prices enumerated in the following schedule at o'clock on the day of 186

2. All parties having claims on the said lands incompatible with the sale as herein notified are

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* Be careful to annex a copy of the notice, signed by the purchaser and collector, to the Forms U. and V.

are hereby required to prefer their claims on or before the day aforesaid to the undersigned.

SCHEDULE of Lands to be Sold.

District.	Talook.	Village.	No. of Lot.	Name (if any) and Boundaries.	Extent.	Upset price.	Annual Assessment.

The sale will be made subject to the following conditions:—

CONDITIONS OF SALE.

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the Collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the Collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council under date the 6th day of March 1863, No. 478A., and shall at the same time sign an acknowledgment in one of the Forms U. or V. (as the case may require) annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall within 30 days from the day of sale pay to the said Collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the form marked X. annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall within 10 days from the day of sale execute a deed in the form marked Y. annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within 30 days, and if, from any cause whatever, the purchase shall not be completed by the 30th day from the day of sale, or if the purchaser shall elect to pay by instalments and shall neglect for 10 days from the day of sale to execute a deed in the form marked Y. annexed to the said rules, then the purhaser shall pay to the Collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money from the day of sale until the purchase shall be completed in the one case; or until a deed in the form Y. be executed in the other case; without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions' or any of them, his deposit money shall be forfeited, and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

Dated

Collector of Coimbatore.

Enclosure 3, in No. 56.

RULES for the SALE of WASTE LAND in the Wynad Talook of MALABAR, passed by the Honourable the Governor in Council on the 7th March 1863, and numbered 482 A.

I. WASTE lands in which no rights of private proprietorship or exclusive occupancy exist, and which may not be reserved as hereinafter* provided, may until further notice be sold under the following rules: * Rule 18.

II. Applications for land under these rules shall be addressed to the Collector of the Malabar District, and shall comprise the following particulars:—

(*a.*) The estimated area of the land applied for.
(*b.*) The situation of the land and its boundaries, as accurately as can be stated.

III. No lot shall exceed 500 acres, unless otherwise specially ordered by Government* Within towns and villages, the maximum extent of a lot shall be 10 acres. But any person may apply for several contiguous lots, each not exceeding the above limits.

IV. Every lot shall be compact, and shall include no more than one tract of land, capable of being surrounded by a ring-fence, and when the land touches a public road or river, the length of the road or water frontage shall not exceed one-half of the depth of the lot.

V. No lot shall be sold until it has been surveyed, and durable boundary marks have been erected.

VI. If, on receipt of an application under Rule II., the collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and the depositor shall pay any deficiency.

VII. If the applicant fails to deposit the sum required under Rule VI. within six weeks from the date of demand, his application shall be null and void.

VIII. On receipt of the deposit required under Rule VI., the collector shall, as soon as possible, cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule III., and shall advertise the lot for sale on a given day, to be fixed so as to admit of the notice required in Rule IX. being given.

IX. The advertisement shall be in English and in Malayalam, and shall specify the locality, extent, and boundaries of the lot, the aggregate annual assessment, and the place, time, and conditions of sale. It shall be posted for three clear months on the land itself, as well as in the neighbouring villages, in the offices of the collector and the tahsildar of the talook, the moonsiff's court, and the nearest police-office. A notification of the intended sale shall also be inserted in the district gazette. The collector shall, at his discretion, fix the time and place of sale, and may alter both if necessary, provided that not less than 14 days' notice be publicly given of every such alteration, and that no land be sold until it has been advertised, as aforesaid, for three full months.

X. The collector shall send written notice of the place and time of sale, as also of any alteration under the provisions of Rule IX., to the applicant; but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

XI. An applicant withdrawing his application prior to the sale of the land will be entitled to the refund of so much only of his deposit under Rule VI. as may not be expended. If, after survey at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them, as well as of surveying any excess beyond the limits prescribed in Rule III.

XII. On the withdrawal of an application, it shall be discretional with the collector to proceed with the sale of the land or not, as he considers best for the public interests.

XIII. The upset price shall in all cases be merely the cost of the survey, and of the erection of durable boundary marks. If the original applicant be the purchaser, he shall receive credit for his deposit or payment, otherwise the amount shall be repaid to him at once from the sale proceeds.

XIV. If, before the time of sale, no claim of private proprietorship, or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules, be preferred to the land, the lot shall, as advertised, be put up to auction, and sold to the highest bidder above the upset price, subject to an annual assessment, payable on or before the 30th June of each and every year, of two rupees for each acre of forest land, and one rupee for each acre of land other than forest contained in the lot.

XV. The successful bidder shall, immediately on the sale being declared, pay down 10 per cent. of the price. The residue of the purchase money may, at the option of the

purchaser, be paid in full within 30 days, or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of six per cent. per annum. In the former case, on payment of the residue of the purchase money, a deed in the Form (X.) annexed to these rules shall be furnished to the purchaser, and possession given. In the latter case, the land will remain hypothecated to Government, as security for the punctual discharge of the unpaid principal and interest as they fall due; and on default of any such payment, the Government may re-enter and repossess themselves of the land, or, at their option, the land may be resold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase money by instalments, he shall not receive possession until he has duly executed the Deed marked (Y.), annexed to these rules. When the conditions of Deed (Y.) have been duly fulfilled, a Deed in the Form (X.) will be issued in lieu of it.

XVI. The sale shall be conducted under and subject to the following conditions of sale:—

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the collector whether he elects to pay the residue within thirty days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council, under date the 7th day of March 1863, No. 482A, and shall at the same time sign an acknowledgment in one of the Forms (U.) or (V.), (as the case may require), annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall, within 30 days from the day of sale, pay to the said collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the Form marked (X.), annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall within ten days from the day of sale execute a deed in the Form marked (Y.) annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within thirty days, and if, from any cause whatever, the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect for ten days from the day of sale to execute a deed in the Form marked (Y.) annexed to the said rules, then the purchaser shall pay to the collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money from the day of sale until the purchase shall be completed in the one case; or until a deed in the Form (Y.) be executed in the other case; without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

XVII. If before the time of sale a claim of private proprietorship or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules shall be preferred to the land or any part of it, the collector shall postpone the sale of the land until such claim shall be disposed of in due course of law.

XVIII. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, parks, recreation grounds, and the like, and of land required for other special purposes are not to be sold under these rules without the express sanction of the Government. A register of such reserves will be maintained in the collector's office, and will be open to inspection by intending applicants at such times and under such rules as the collector may prescribe by notification in the district gazette.

XIX. The annual assessment on lands sold under these rules may at any time be redeemed by the owner by payment of a sum equal to 25 times the said annual assessment, and the lands so redeemed shall thereafter be for ever free from all demand on the part of the State on account of land revenue. On payment of the redemption money the owner of the land shall be furnished with a deed in the Form (Z.) annexed to these rules.

XX. Arrears of annual assessment shall be recoverable in the same manner as arrears of ryotwary land revenue are, or may be recoverable by the law for the time being in force in the Madras Presidency.

XXI. Lands

XXI. Lands sold or redeemed under these rules shall nevertheless continue subject to all general taxes and local rates payable by law or custom.

XXII. The existing and customary rights of Government, of other proprietors and of the public in existing roads and paths, and in streams running through or bounding lands sold under these rules are reserved and in no way affected by the sale of such lands under these rules.

XXIII. Nothing contained in these rules shall be held to debar the Government from granting waste land on Puttah, Cowle, or otherwise at their discretion as heretofore.

(X.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the District of (*b*) of the other part Whereas under the rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the seventh day of March One thousand eight hundred and sixty-three and numbered 482 A. the collector of Malabar did on the (*a*) day of One thousand eight hundred and sixty (*a*) offer for sale by public auction the land described in the schedule hereunder written subject to an annual assessment in perpetuity on the said land of rupees (*a*) And whereas at such sale the said (*A. B.*) offered the sum of rupees (*a*) for such land subject to such assessment and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained and whereas previously to the execution of these presents the said (*A. B.*) has paid into the Treasury of the said collector to the credit of Her Majesty's Government of India the full sum of rupees (*a*) Now this Indenture witnesseth that in consideration of the said sum of rupees (*a*) so paid by the said (*A. B.*) (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth sell alien and convey unto the said (*A. B.*) the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of Wynad in the collectorate of Malabar bounded as mentioned in the schedule hereunder written and delineated in the map or plan hereunto annexed together with all erections and buildings (if any) thereon erected and built And all products both above and below the surface ways paths passages waters water-courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining except and always reserved out of these presents all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the land and premises hereby conveyed in all existing roads and paths and in streams of water running through or bounding the land and premises hereby conveyed to hold the said land and premises hereby conveyed with the appurtenances to the said (*A. B.*) his heirs personal representatives and assigns for ever subject nevertheless to the payment by the said (*A. B.*) his heirs personal representatives and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*a*) on or before the thirtieth day of June in each year and likewise subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns of all general taxes and local rates now existing or which at any time hereafter may be imposed by law as also to the covenants and conditions hereinafter contained and the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A. B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the thirtieth day of June in each year the said sum of rupees (*a*) and likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises hereby conveyed And further that in case he the said (*A. B.*) his heirs personal representatives or assigns shall make default in payment of the said annual assessment of rupees (*a*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained then and in such case and so often as the same shall happen the said assessment of rupees (*a*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as riotwary land revenue is now or at any time hereafter may be recoverable Provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*c*) of lawful money of British India and that immediately after such payment the land and premises hereby conveyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council And the said (*A. B.*) hath set his hand and seal the day and year first above written

The SCHEDULE to which the above-written Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of (L. S.)

Secretary to Government.

Signed sealed and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*d*) Signature of *A. B.* (L. S.)

Received from the above named *A. B.* the sum of rupees (*a*) being the consideration money above mentioned to be by him paid Rupees (*e*)

Witness (*d*)

Collector of Malabar.

(*a*) Enter in words.
(*b*) Add the purchaser's trade, or occupation or other description.
(*c*) Enter 25 times the annual assessment in words.
(*d*) One witness will suffice. His place of residence, as also his occupation or other description must be written under his name.
(*e*) Enter in figures.

(Y.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the district of (*b*) of the other part Whereas under the rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the seventh day of March One thousand eight hundred and sixty-three and numbered 482 A. the Collector of Malabar did on the (*a*) day of one thousand eight hundred and sixty (*a*) offer for sale by public auction the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of Wynad in the collectorate of Malabar bounded as mentioned in the schedule hereunder written and delineated in the map or plan hereunto annexed subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*f*) on or before the thirtieth day of June in each year and whereas at such sale the said (*A. B.*) offered the sum of rupees (*l*) for such land subject to such assessment and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained And whereas at the time of such sale the said (*A. B.*) paid into the hands of the said collector the sum of rupees (*a*) being the amount of deposit at the rate of ten rupees per cent. on the said purchase money as required by the said rules and under the provision contained in those rules has elected to pay the balance of such purchase money amounting to the sum of rupees (*c*) in three yearly instalments of rupees (*d*) each with interest on such balance or on such part thereof as shall from time to time remain unliquidated at the rate of six rupees per cent. per annum Now this Indenture witnesseth that in consideration of the said sum of rupees (*e*) so paid to the said collector as hereinbefore mentioned (the receipt whereof is hereby acknowledged) and of the covenants on the part of the said (*A. B.*) hereinafter contained The said Secretary of State in Council for himself his successors and assigns Doth hereby covenant with the said (*A. B.*) his heirs personal representatives and assigns that on payment by the said (*A. B.*) his heirs personal representatives or assigns of the said sum of rupees (*c*) with interest thereon as herein mentioned he the said Secretary of State in Council his successors or assigns will convey unto the said (*A. B.*) his heirs personal representatives and assigns for ever The said land and premises together with all erections and buildings (if any) thereon erected and built And all products both above and below the surface ways paths passages waters water courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining Excepting nevertheless all existing and customary rights of Government and

and of proprietors of lands adjoining or lying near to the said land and premises purchased as aforesaid in all existing roads and paths and in streams of water running through or bounding the purchased land and premises To be held by the said (*A. B.*) his heirs personal representatives and assigns subject to the payment of the said yearly sum of rupees (*f*) on the thirtieth day of June in each year as hereinbefore mentioned And likewise subject to all general taxes and local rates now existing or which at any time hereafter may be imposed by law And to the observance of the several conditions in the said rules contained And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A. B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the thirtieth day of June in each year the said of rupees (*f*) and likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises so purchased and further that he the said (*A. B.*) his heirs personal representatives and assigns will on the (*g*) day of (*g*) which will be in the year one thousand eight hundred and sixty (*g*) pay or cause to be paid to the said Secretary of State in Council his successors or assigns the sum of rupees (*d*) of lawful money of British India and on the (*h*) day of (*h*) which will be in the year one thousand eight hundred and sixty (*h*) a like sum of rupees (*d*) and on the (*i*) day of (*i*) which will be in the year one thousand eight hundred and sixty (*i*) a like sum of rupees (*d*) of like lawful money and also will pay to the said Secretary of State in Council his successors or assigns interest at the rate of six rupees per cent. per annum on the said balance of the said purchase money or sum of rupees (*c*) or on such part thereof as shall from time to time remain unpaid by two equal half yearly payments on the (*j*) day of (*j*) and the (*k*) day of (*k*) in each year together with a proportionate part of like interest until the said balance shall be fully paid or satisfied or until the said Secretary of State in Council shall obtain possession of the said land and premises under the provisions hereinafter contained And it is hereby declared and agreed by and between the parties hereto that until default shall be made by the said (*A. B*) his heirs personal representatives or assigns in payment of the said annual assessment or sum of rupees (*f*) as and when the same shall become payable under the covenant hereinbefore contained or in payment of the said instalments or any of them or any part thereof respectively or of the said interest or any part thereof it shall be lawful for the said (*A. B.*) his heirs personal representatives and assigns peaceably and quietly to occupy possess and enjoy the said land and premises so purchased and receive and take the rents issues and profits thereof to and for his and their own use and benefit And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby further covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said instalments or any or either of them or any part thereof respectively or in payment of the interest hereinbefore covenanted to be paid or any part thereof as and when such instalments and interest shall respectively become due then and in such case and within one month after demand of possession shall have been made on him or them by or on behalf of the said Secretary of State in Council his successors or assigns he the said (*A. B.*) his heirs personal representatives and assigns will deliver to any person authorised by an order passed by the Governor of Fort Saint George for the time being in Council to receive the same the quiet and peaceable possession of the said land and premises together with all erections and buildings which now are or which at any time between the date of these presents and such delivery of possession may be erected and built or standing on the said land and all improvements made to the said land in the meantime and moreover that in the event of such default being made by the said (*A. B.*) his heirs personal representatives and assigns or in case of the breach or non-performance of any of the covenants and agreements herein contained on the part of the said (*A. B.*) his heirs personal representatives and assigns it shall be lawful for the said Secretary of State in Council his successors or assigns at any time thereafter to resell the said premises either by public auction or private contract and if on such resale the said premises should be sold for a sum less than the said sum of rupees (*l*) he the said (*A. B.*) his heirs personal representatives and assigns will pay to the said Secretary of State in Council his successors or assigns the difference between the sum for which such premises shall be resold and the said sum of rupees (*l*) or it shall be lawful for the said Secretary of State in Council his successors or assigns at any time after such default or breach into and upon the said land and premises or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as in his and their former estate any thing hereinbefore contained to the contrary notwithstanding And further that in case he the said (*A. B.*) his heirs personal representative and assigns shall make default in payment of the said annual assessment of rupees (*f*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained then and in such case and so often as the same shall happen the said assessment of rupees (*f*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as ryotwary land revenue is now or at any time hereafter may be recoverable provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty

to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*m*) of lawful money of British India and that immediately after such payment the land and premises hereby conveyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council and the said (*A. B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the above-written Indenture refers.

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of (L. S.)

Secretary to Government.

Signed sealed and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*n*) Signature of *A. B.* (L. S.)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money above mentioned to have been by him paid Rupees (*o*)

Witness (*n*)

Collector of Malabar.

(*a*) Enter in words.
(*b*) Add the trade, occupation or other description of the purchaser.
(*c*) Enter purchase money after deducting the deposit, in words.
(*d*) Enter one-third of purchase money, after deducting the deposit, in words.
(*e*) Enter the deposit in words.
(*f*) Enter the assessment in words.
(*g*) Twelve months from date of purchase in words.
(*h*) Twenty-four months from date of purchase in words.
(*i*) Thirty-six months from date of purchase in words.
(*j*) Six months from day of sale. Enter only the day and month, not the year.
(*k*) Twelve months from day of sale. Enter only the day and month, not the year.
(*l*) The sum for which the premises were knocked down, in words.
(*m*) Twenty-five times the annual assessment, in words.
(*n*) One witness will suffice. Enter his residence, as also his occupation or other description, under his name.
(*o*) Enter in figures.

(Z.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the district of (*b*) of the other part Whereas by an Indenture dated the (*a*) day of One thousand eight hundred and sixty (*a*) and made between the said Secretary of State of the one part and the said (*A. B.*) of the other part the said Secretary of State for the considerations therein-mentioned did sell alien and convey unto the said (*A. B.*) his heirspersonal representatives and assigns for ever the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of Wynad in the collectorate of Malabar bounded as mentioned in the Schedule thereunder written and delineated in the map or plan thereunto annexed with the appurtenances subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns of the annual assessment or sum of rupees (*a*) and to the payment of all general taxes and local rates then existing or which at any time thereafter might be imposed by law as also to the several exceptions covenants and conditions therein contained And in and by such reciting Indenture it was declared and agreed that the said (*A. B.*) his heirs personal representatives and assigns should be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*a*) and that immediately thereafter the said land and premises should be for ever free from all demand for Land Revenue And whereas the said (*A. B.*) under the said provision hath paid into the Treasury of the collector of to the credit of Her Majesty's Government of India the said sum of rupees (*a*) and hath requested that the said land may be declared to be for ever hereafter absolutely freed and discharged from the payment of the said sum of rupees (*a*) and of all Land Revenue payable

payable thereon and that the said land may be likewise declared to be and continue as freehold Now this Indenture witnesseth that in pursuance of the said provision and in consideration of the said sum of rupees (*a*) so paid by the said (*A. B.*) as hereinbefore mentioned (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth remise release and for ever quit claim unto the said (*A. B.*) his heirs personal representatives and assigns the said annual assessment or sum of rupees (*a*) and further doth declare that the said land and premises may for ever be held as freehold fully and absolutely enfranchised exonerated acquitted and discharged by these presents from all demand on the part of Her Majesty for or on account of quit-rent assessment land tax or other land revenue Provided always and it is hereby declared and agreed by and between the parties hereto that in all other respects the said land and premises shall be subject to the several exceptions reservations covenants and conditions in the hereinbefore in part recited Indenture contained In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the Seal of the said Governor in Council and the said (*A. B.*) hath set his hand and seal the day and year first above written.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to Government.

Signed sealed and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*c*) } Signature of *A. B.* (L. S.)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money above-mentioned to have been by him paid } Rupees (*d*)

Witness (*c*)

Collector of Malabar.

(*a*) Enter in words.
(*b*) Enter the trade, occupation, or other description of the purchaser.
(*c*) One witness will suffice. Enter his trade, occupation, or other description.
(*d*) Enter in figures.

Form (U.)

I (*A. B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed * Notice dated the (*a*) day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) , and that I was declared the purchaser thereof at that price under and subject to the conditions of sale set out in the said notice. I have paid to the collector of the sum of rupees (*a*) being a deposit of ten rupees per cent. in part of my purchase money and I elect to pay the residue thereof within thirty days from this day. Dated the (*a*) day of one thousand eight hundred and sixty (*a*) .

Witness, (*b*) Signature of *A. B.*

Form (V.)

I (*A. B.*) of do hereby acknowledge that I attended at the sale mentioned in the annexed * Notice dated the (*a*) day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) , and that I was declared the purchaser thereof at that price under and subject to the conditions of sale set out in the said notice. I have paid to the collector of the sum of rupees (*a*) being a deposit of ten rupees per cent. in part of my purchase money and I elect to pay the residue thereof in three yearly instalments of rupees (*a*) each, with interest thereon at the rate of six rupees per cent. per annum, as prescribed by the rules passed by the Honourable the Governor in Council on the seventh March one thousand eight hundred and sixty three, and numbered 482A. Dated the (*a*) day of one thousand eight hundred and sixty (*a*) .

Witness, (*b*) Signature of *A. B.*

* Be careful to annex a copy of the notice, signed by the purchaser and collector, to the Forms (U.) and (V.)
(*a*) Enter in words.
(*b*) The place of residence, as also the occupation or other description of the witness, must be written under his name.

FORM (W.)

FORM of ADVERTISEMENT.

Notice No. .—District of Malabar.

SALE of WASTE LANDS.

1. NOTICE is hereby given, that the lands hereunder specified will be put up to auction at (under the Government Rules for the sale of waste lands, dated 7th March 1863, No. 482A) and sold subject to annual payment of the assessment specified below to the highest bidder above the upset price or prices enumerated in the following Schedule at o'clock on the day of 186 .

2. All parties having claims on the said lands, incompatible with the sale as herein notified, are hereby required to prefer their claims on or before the day aforesaid to the undersigned :—

SCHEDULE of Lands to be sold.

District.	Talook.	Village.	Number of Lot.	Name (if any) and Boundaries.	Extent.	Upset Price.	Annual Assessment.

The sale will be made subject to the following conditions :—

CONDITIONS of SALE.

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the Rules passed by the Honourable the Governor in Council under date the 7th day of March 1863, No. 482A, and shall at the same time sign an acknowledgment in one of the Forms (U.) or (V.) (as the case may require) annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall within 30 days from the day of sale pay to the said collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the form marked (X.) annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments he shall within 10 days from the day of sale execute a deed in the form marked (Y.) annexed to the said rules.

(5.) That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within 30 days, and if, from any cause whatever, the purchase shall not be completed by the 30th day from the day of sale, or if the purchaser shall elect to pay by instalments and shall neglect for 10 days from the day of sale to execute a deed in the Form marked (Y.) annexed to the said Rules, then the purchaser shall pay to the collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money from the day of sale until the purchase shall be completed in the one case; or until a deed in the Form (Y.) be executed in the other case; without prejudice nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited, and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

Dated

Collector of Malabar.

Enclosure 4, in No. 56.

RULES for the SALE of WASTE LAND on the SHERVAROY HILLS, passed by the Honourable the Governor in Council on the 9th March 1863, and numbered 488 A.

I. WASTE lands in which no rights of private proprietorship or exclusive occupancy exist, and which may not be reserved as hereinafter* provided, may until further notice be sold under the following rules. * Rule 18.

II. Applications for land under these rules shall be addressed to the collector of the Salem District, and shall comprise the following particulars:—

(*a*) The estimated area of the land applied for.
(*b*) The situation of the land and its boundaries as accurately as can be stated.

III. No lot shall exceed 500 acres unless otherwise specially ordered by Government. Within towns and villages, the maximum extent of a lot shall be 10 acres. But any person may apply for several contiguous lots, each not exceeding the above limits.

IV. Every lot shall be compact, and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public road or river, the length of the road or water frontage shall not exceed one-half of the depth of the lot.

V. No lot shall be sold until it has been surveyed, and durable boundary marks have been erected.

VI. If on receipt of an application under Rule II, the collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land, and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation, and the depositor shall pay any deficiency.

VII. If the applicant fails to deposit the sum required under Rule VI, within six weeks, from the date of demand, his application shall be null and void.

VIII. On receipt of the deposit required under Rule VI, the collector shall, as soon as possible, cause the land applied for to be surveyed and marked out, and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule III, and shall advertise the lot for sale on a given day, to be fixed so as to admit of the notice required in Rule IX being given.

IX. The advertisement shall be in English and Tamil, and shall specify the locality, extent, and boundaries of the lot, the aggregate annual assessment, and the place, time, and conditions of sale. It shall be posted for three clear months on the land itself as well as in the neighbouring villages, in the offices of the collector and the Tahsildar of the Talook, and the nearest police office. A notification of the intended sale shall also be inserted in the "District Gazette." The collector shall at his discretion fix the time and place of sale, and may alter both if necessary, provided that no less than 14 days' notice be publicly given of every such alteration, and that no land be sold until it has been advertised as aforesaid, for three full months.

X. The collector shall send written notice of the place and time of sale, as also of any alteration under the provisions of Rule IX, to the applicant; but no sale shall be disturbed in consequence of the non-receipt of such notice, or delayed in consequence of the non-appearance of the applicant.

XI. An applicant withdrawing his application prior to the sale of the land will be entitled to the refund of so much only of his deposit under Rule VI, as may not be expended. If after survey at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them; as well as of surveying any excess beyond the limits prescribed in Rule III.

XII. On the withdrawal of an application, it shall be discretional with the collector to proceed with the sale of the land or not, as he considers best for the public interests.

XIII. The upset price shall in all cases be merely the cost of the survey and of the erection of durable boundary marks. If the original applicant be the purchaser, he shall receive credit for his deposit or payment; otherwise the amount shall be repaid to him at once from the sale proceeds.

XIV. If before the time of sale no claim of private proprietorship or of exclusive occupancy, or of any other right incompatible with the sale of the land under these rules be preferred to the land, the lot shall as advertised be put up to auction and sold to the highest bidder above the upset price, subject to an annual assessment, payable on or before the 30th June of each and every year, of 1 rupee for each acre of land contained in the lot.

XV. The successful bidder shall immediately on the sale being declared, pay down 10 per cent. of the price. The residue of the purchase money may at the option of the

purchaser be paid in full within thirty days; or in three yearly instalments of equal amount, bearing interest from the day of sale at the rate of 6 per cent. per annum. In the former case, on payment of the residue of the purchase money, a deed in the Form (X.) annexed to these rules shall be furnished to the purchaser and possession given. In the latter case the land will remain hypothecated to Government as security for the punctual discharge of the unpaid principal and interest as they fall due, and on default of any such payment the Government may re-enter and repossess themselves of the land, or, at their option, the land may be re-sold at the expense and risk of the defaulter. When the purchaser elects to pay the purchase money by instalments, he shall not receive possession until he has duly executed the deed marked (Y.) annexed to these rules. When the conditions of deed (Y.) have been duly fulfilled, a deed in the Form (X.) will be issued in lieu of it.

XVI. The sale shall be conducted under and subject to the following conditions of sale:—

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the collector whether he elects to pay the residue within thirty days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council under date the 9th day of March 1863, No. 488A, and shall at the same time sign an acknowledgment in one of the Forms (U.) or (V.) (as the case may require) annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within thirty days, he shall within thirty days from the day of sale pay to the said collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the form marked (X.) annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall within ten days from the day of sale execute a deed in the form marked (Y.) annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises as well as to any other error whatever in the particulars of the property.

(6.) That if the purchaser elects to pay within thirty days, and if, from any cause whatever, the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect for ten days from the day of sale to execute a deed in the form marked (Y.) annexed to the said rules, then the purchaser shall pay to the collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money from the day of sale until the purchase shall be completed in the one case; or until a deed in the Form (Y.) be executed in the other case; without prejudice, nevertheless, to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited, and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

XVII. If before the time of sale a claim of private proprietorship or of exclusive occupancy or of any other right incompatible with the sale of the land under these rules, shall be preferred to the land or any part of it, the collector shall postpone the sale of the land until such claim shall be disposed of in due course of law.

XVIII. Reserves of grazing and forest land, of land for the growth of firewood, for building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these rules without the express sanction of the Government. A register of such reserves will be maintained in the collector's office, and will be open to inspection by intending applicants at such times and under such rules as the collector may prescribe by notification in the "District Gazette."

XIX. The annual assessment on lands sold under these rules may at any time be redeemed by the owner by payment of a sum equal to twenty-five times the said annual assessment, and the lands so redeemed shall thereafter be for ever free from all demand on the part of the State on account of land revenue. On payment of the redemption money the owner of the land shall be furnished with a deed in the Form (Z.) annexed to these rules.

XX. Arrears of annual assessment shall be recoverable in the same manner as arrears of ryotwary land revenue are, or may be recoverable by the law for the time being in force in the Madras Presidency.

XXI. Lands

XXI. Lands sold or redeemed under these rules shall nevertheless continue subject to all general taxes and local rates payable by law or custom.

XXII. The existing and customary rights of Government, of other proprietors, and of the public in existing roads and paths, and in streams running through or bounding lands sold under these rules are reserved, and in no way affected by the sale of such lands under these rules.

XXIII. Nothing contained in these rules shall be held to debar the Government from granting waste land on Puttah, Cowle, or otherwise at their discretion as heretofore.

(X.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the District of (*b*) of the other part Whereas under the rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the ninth day of March One thousand eight hundred and sixty-three and numbered 488 A. the collector of Salem did on the (*a*) day of One thousand eight hundred and sixty (*a*) offer for sale by public auction the land described in the Schedule hereunder written subject to an annual assessment in perpetuity on the said land of rupees (*a*) And whereas at such sale the said (*A. B.*) offered the sum of rupees (*a*) for such land subject to such assessment and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained And whereas previously to the execution of these presents the said (*A. B.*) has paid into the treasury of the said collector to the credit of Her Majesty's Government of India the full sum of rupees (*a*) Now this Indenture witnesseth that in consideration of the said sum of rupees (*a*) so paid by the said (*A. B.*) (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth sell alien and convey unto the said (*A. B.*) the piece or parcel of land containing British statute acres (*a*) situated on the Shervaroy hills, in the collectorate of Salem, bounded as mentioned in the Schedule hereunder written and delineated in the map or plan hereunto annexed together with all erections and buildings (if any) thereon erected and built and all products both above and below the surface ways paths passages waters water-courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining except and always reserved out of these presents all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the land and premises hereby conveyed in all existing roads and paths and in streams of water running through or bounding the land and premises hereby conveyed to hold the said land and premises hereby conveyed with the appurtenances to the said (*A. B.*) his heirs personal representatives and assigns for ever subject nevertheless to the payment by the said (*A. B.*) his heirs personal representatives and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*a*) on or before the thirtieth day of June in each year and likewise subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns of all general taxes and local rates now existing or which at any time hereafter may be imposed by law as also to the covenants and conditions hereinafter contained And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A. B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the thirtieth day of June in each year the said sum of rupees (*a*) and likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises hereby conveyed And further that in case he the said (*A. B.*) his heirs personal representatives or assigns shall make default in payment of the said annual assessment of rupees (*a*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained then and in such case and so often as the same shall happen the said assessment of rupees (*a*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as ryotwary land revenue is now or at any time hereafter may be recoverable Provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*c*) of lawful money of British India and that immediately after such payment the land and premises hereby conveyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council And the said (*A. B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the above-written Indenture refers—

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to Government.

Signed sealed and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*d*) } Signature of *A. B.* (L. S.)

Received from the above-named *A. B.* the sum of rupees (*a*) being the consideration money above-mentioned to be by him paid. } Rupees (*e*)

Witness (*d*)

Collector of Salem.

(*a*) Enter in words.
(*b*) Add the purchaser's trade, or occupation, or other description.
(*c*) Enter twenty-five times the annual assessment, in words.
(*d*) One witness will suffice. His place of residence, as also his occupation, or other description, must be written under his name.
(*e*) Enter in figures.

(Y.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the District of (*b*) of the other part Whereas under the rules for the sale of waste land passed by the Honourable the Governor of Fort Saint George in Council on the ninth day of March One thousand eight hundred and sixty-three and numbered 488A the collector of Salem did on the (*a*) day of One thousand eight hundred and sixty (*a*) offer for sale by public auction the piece or parcel of land containing British statute acres (*a*) situated on the Shervaroy hills, in the collectorate of Salem bounded as mentioned in the Schedule hereunder written and delineated in the map or plan hereunto annexed subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns to the said Secretary of State in Council his successors or assigns yearly and every year for ever hereafter of the clear sum of rupees (*f*) on or before the 30th day of June in each year And whereas at such sale the said (*A. B.*) offered the sum of rupees (*l*) for such land subject to such assessment and being the highest bidder was declared to be the purchaser thereof according to the terms and conditions in such rules contained And whereas at the time of such sale the said (*A. B.*) paid into the hands of the said collector the sum of rupees (*a*) being the amount of deposit at the rate of ten rupees per cent. on the said purchase money as required by the said rules and under the provision contained in those rules has elected to pay the balance of such purchase money amounting to the sum of rupees (*c*) in three yearly instalments of rupees (*d*) each with interest on such balance or on such part thereof as shall from time to time remain unliquidated at the rate of six rupees per cent. per annum Now this indenture witnesseth that in consideration of the said sum of rupees (*e*) so paid to the said collector as hereinbefore mentioned (the receipt whereof is hereby acknowledged) and of the covenants on the part of the said (*A. B.*) hereinafter contained the said Secretary of State in Council for himself his successors and assigns doth hereby covenant with the said (*A. B.*) his heirs personal representatives and assigns that on payment by the said (*A. B.*) his heirs personal representatives or assigns of the said sum of rupees (*c*) with interest thereon as herein mentioned he the said Secretary of State in Council his successors or assigns will convey unto the said (*A. B.*) his heirs personal representatives and assigns for ever the said land and premises together with all erections and buildings (if any) thereon erected and built and all products both above and below the surface ways paths passages waters water-courses wells fences ditches easements profits rights members and appurtenances whatsoever to the said land and premises and every or any part thereof belonging or appertaining excepting nevertheless all existing and customary rights of Government and of proprietors of lands adjoining or lying near to the said land and premises purchased as aforesaid in all existing roads and paths and in streams of water running through or bounding the purchased land and premises to be held by the said

(*A. B.*)

(*A. B.*) his heirs personal representatives and assigns subject to the payment of the said yearly sum of rupees (*f*) on the thirtieth day of June in each year as hereinbefore mentioned and likewise subject to all general taxes and local rates now existing or which at any time hereafter may be imposed by law and to the observance of the several conditions in the said rules contained And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that he the said (*A. B.*) his heirs personal representatives and assigns will yearly and every year for ever hereafter pay on or before the thirtieth day of June in each year the said sum of rupees (*f*) and likewise will at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the land and premises so purchased And further that he the said (*A. B*) his heirs personal representatives and assigns will on the (*g*) day of (*g*) which will be in the year One thousand eight hundred and sixty (*g*) pay or cause to be paid to the said Secretary of State in Council his successors or assigns the sum of rupees (*d*) of lawful money of British India and on the (*h*) day of (*h*) which will be in the year One thousand eight hundred and sixty (*h*) a like sum of rupees (*d*) and on the (*i*) day of (*i*) which will be in the year One thousand eight hundred and sixty (*i*) a like sum of rupees (*d*) of like lawful money And also will pay to the said Secretary of State in Council his successors or assigns interest at the rate of six rupees per centum per annum on the said balance of the said purchase money or sum of rupees (*c*) or on such part thereof as shall from time to time remain unpaid by two equal half-yearly payments on the (*j*) day of (*j*) and the (*k*) day of (*k*) in each year together with a proportionate part of like interest until the said balance shall be fully paid or satisfied or until the said Secretary of State in Council shall obtain possession of the said land and premises under the provisions hereinafter contained And it is hereby declared and agreed by and between the parties hereto that until default shall be made by the said (*A. B.*) his heirs personal representatives or assigns in payment of the said annual assessment or sum of rupees (*f*) as and when the same shall become payable under the covenant hereinbefore contained or in payment of the said instalments or any of them or any part thereof respectively or of the said interest or any part thereof it shall be lawful for the said (*A. B.*) his heirs personal representatives and assigns peaceably and quietly to occupy possess and enjoy the said land and premises so purchased and receive and take the rents issues and profits thereof to and for his and their own use and benefit And the said (*A. B.*) for himself his heirs personal representatives and assigns doth hereby further covenant with the said Secretary of State in Council his successors and assigns in manner following (that is to say) that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said instalments or any or either of them or any part thereof respectively or in payment of the interest hereinbefore covenanted to be paid or any part thereof as and when such instalments and interest shall respectively become due then and in such case and within one month after demand of possession shall have been made on him or them by or on behalf of the said Secretary of State in Council his successors or assigns he the said (*A. B.*) his heirs personal representatives and assigns will deliver to any person authorised by an order passed by the Governor of Fort Saint George for the time being in Council to receive the same the quiet and peaceable possession of the said land and premises together with all erections and buildings which now are or which at any time between the date of these presents and such delivery of possession may be erected and built or standing on the said land and all improvements made to the said land in the meantime And moreover that in the event of such default being made by the said (*A. B.*) his heirs personal representatives and assigns or in case of the breach or non-performance of any of the covenants and agreements herein contained on the part of the said (*A. B.*) his heirs personal representatives and assigns it shall be lawful for the said Secretary of State in Council his successors or assigns at any time thereafter to resell the said premises either by public auction or private contract and if on such resale the said premises should be sold for a sum less than the said sum of rupees (*l*) he the said (*A. B.*) his heirs personal representatives and assigns will pay to the said Secretary of State in Council his successors or assigns the difference between the sum for which such premises shall be resold and the said sum of rupees (*l*) or it shall be lawful for the said Secretary of State in Council his successors or assigns at any time after such default or breach into and upon the said land and premises or any part thereof in the name of the whole to re-enter and the same to have again repossess and enjoy as in his and their former estate anything hereinbefore contained to the contrary notwithstanding And further that in case he the said (*A. B.*) his heirs personal representatives and assigns shall make default in payment of the said annual assessment of rupees (*f*) or any part thereof as and when the same shall become payable under the covenant hereinbefore contained then and in such case and so often as the same shall happen the said assessment of rupees (*f*) and all arrears thereof shall and may be treated as arrears of ryotwary land revenue and may be recovered in the same manner as ryotwary land revenue is now or at any time hereafter may be recoverable Provided always and it is hereby declared and agreed by and between the parties hereto that the said (*A. B.*) his heirs personal representatives and assigns shall at any time be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*m*) of lawful money of British India and that immediately after such payment the land and premises hereby con-

veyed shall be for ever free from all demand for land revenue In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council and the said (*A. B.*) hath set his hand and seal the day and year first above written.

The SCHEDULE to which the above-written Indenture refers:—

District.	Talook.	Village.	Name (if any) and Boundaries.	Extent.

The Seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L.S.)

Secretary to Government.

Signed sealed and delivered by the above-named *A. B.* at in the East Indies in the presence of (*n*) } Signature of *A. B.* (L. S.)

Received from the above-named (*A. B.*) the sum of rupees (*a*) being the consideration money above-mentioned to have been by him paid. } Rupees (*o*)

Witness (*n*)

Collector of Salem.

(*a*) Enter in words.
(*b*) Add the trade, occupation, or other description of the purchaser.
(*c*) Enter purchase money, after deducting the deposit, in words.
(*d*) Enter one-third of purchase money, after deducting the deposit, in words.
(*e*) Enter the deposit in words.
(*f*) Enter the assessment in words.
(*g*) Twelve months from date of purchase in words.
(*h*) Twenty-four months from date of purchase in words.
(*i*) Thirty-six months from date of purchase in words.
(*j*) Six months from day of sale. Enter only the day and month, not the year.
(*k*) Twelve months from day of sale. Enter only the day and month, not the year.
(*l*) The sum for which the premises were knocked down, in words.
(*m*) Twenty-five times the annual assessment, in words.
(*n*) One witness will suffice. Enter his residence, as also his occupation, or other description under his name.
(*o*) Enter in figures.

(Z.)

No.

THIS INDENTURE made the (*a*) day of One thousand eight hundred and sixty (*a*) between the Right Honourable the Secretary of State for India in Council of the one part and (*A. B.*) of in the district of (*b*) of the other part Whereas by an Indenture dated the (*a*) day of One thousand eight hundred and sixty (*a*) and made between the said Secretary of State of the one part and the said (*A. B.*) of the other part the said Secretary of State for the considerations therein mentioned did sell alien and convey unto the said (*A. B.*) his heirs personal representatives and assigns for ever the piece or parcel of land containing British statute acres (*a*) situated in the village of in the talook of in the collectorate of Salem bounded as mentioned in the Schedule thereunder written and delineated in the map or plan thereunto annexed with the appurtenances subject to the payment by the said (*A. B.*) his heirs personal representatives and assigns of the annual assessment or sum of rupees (*a*) and to the payment of all general taxes and local rates then existing or which at any time thereafter might be imposed by law as also to the several exceptions covenants and conditions therein contained And in and by such reciting indenture it was declared and agreed that the said (*A. B.*) his heirs personal representatives and assigns should be at liberty to redeem such annual assessment by payment to the said Secretary of State in Council his successors or assigns of the sum of rupees (*a*) and that immediately thereafter the said land and premises should be for ever free from all demand for land revenue And whereas the said (*A. B.*) under the said provision hath paid into the treasury of the collector of to the credit of Her Majesty's Government of India the said sum of rupees (*a*) and hath requested that the said land may be declared to be for ever hereafter absolutely freed and discharged from the payment of the said sum of rupees (*a*) and of all land revenue payable thereon and that the said land may be likewise declared to be and continue as freehold Now this indenture witnesseth

witnesseth that in pursusnce of the said provision and in consideration of the said sum of rupees (*a*) so paid by the said (*A. B.*) as hereinbefore mentioned (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth remise release and for ever quit claim unto the said (*A. B.*) his heirs personal representatives and assigns the said annual assessment or sum of rupees (*a*) And further doth declare that the said land and premises may for ever be held as freehold fully and absolutely enfranchised exonerated acquitted and discharged by these presents from all demand on the part of Her Majesty for or on account of quit-rent assessment land tax or other land revenue Provided always and it is hereby declared and agreed by and between the parties hereto that in all other respects the said land and premises shall be subject to the several exceptions reservations covenants and conditions in the hereinbefore in part recited indenture contained In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council And the said (*A. B.*) hath set his hand and seal the day and year first above written.

The seal of the Honourable the Governor of Fort Saint George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to Government.

Signed sealed and delivered by the above-named (*A. B.*) at in the East Indies in the presence of (*c*) } Signature of *A. B.* (L. S.)

Received from the above named (*A. B.*) the sum of rupees (*a*) being the consideration money above mentioned to have been by him paid. } Rupees (*d*)

Witness (*c*)

Collector of Salem.

(*a*) Enter in words.
(*b*) Enter the trade, occupation, or other description of the purchaser.
(*c*) One witness will suffice. Enter his trade, occupation, or other description.
(*d*) Enter in figures.

Form (U.)

I, (*A. B.*) of , do hereby acknowledge that I attended at the sale mentioned in the annexed * notice, dated the (*a*) day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) and that I was declared the purchaser thereof at that price, under and subject to the conditions of sale set out in the said notice. I have paid to the Collector of the sum of rupees (*a*) being a deposit of 10 rupees per cent. in part of my purchase money, and I elect to pay the residue thereof within 30 days from this day. Dated the (*a*) day of 186 (*a*).

Witness (*b*) Signature of *A. B.*

Form (V.)

I, (*A. B.*) of , do hereby acknowledge that I attended at the sale mentioned in the annexed * notice, dated the (*a*) day of 186 , No. , and that I bid for the premises therein specified and distinguished as lot No. , the sum of rupees (*a*) and that I was declared the purchaser thereof at that price, under and subject to the conditions of sale set out in the said notice. I have paid to the Collector of the sum of rupees (*a*) being a deposit of 10 rupees per cent. in part of my purchase money, and I elect to pay the residue thereof in three yearly instalments of rupees (*a*) each, with interest thereon at the rate of six rupees per cent. per annum, as prescribed by the rules passed by the Honourable the Governor in Council on the 9th March 1863, and numbered 488 A. Dated the (*a*) day of 186 (*a*).

Witness (*b*) Signature of *A. B.*

* Be careful to annex a copy of the notice, signed by the purchaser and collector, to the Forms (U.) and (V.)
(*a*) Enter in words.
(*b*) The place of residence as also the occupation or other description of the witness must be written under his name.

Form (W.)

(Form of Advertisement.)

Notice, No. .—District of Salem.

Sale of Waste Lands.

1. Notice is hereby given, that the lands hereunder specified will be put up to auction at (under the Government Rules for the sale of waste lands, dated 9th March 1863, No. 48 A,) and sold, subject to annual payment of the assessment specified below, to the highest bidder above the upset price or prices enumerated in the following Schedule, at o'clock on the day of 186 .

2. All parties having claims on the said lands, incompatible with the sale as herein notified, are hereby required to prefer their claims on or before the day aforesaid to the undersigned.

Schedule of Lands to be Sold.

District.	Talook.	Village.	Number of Lot.	Name (if any), and Boundaries.	Extent.	Upset Price.	Annual Assessment.

The sale will be made, subject to the following conditions:—

Conditions of Sale.

(1.) "That the highest bidder above the upset price shall be the purchaser of the premises, and if any dispute arise between two or more bidders at the same price, the premises shall be immediately put up again at the last preceding undisputed bidding, and resold.

(2.) "That immediately after the lot is knocked down, the purchaser thereof shall pay to the collector a deposit of 10 rupees per centum, in part of his purchase money, and intimate to the collector whether he elects to pay the residue within 30 days, or by three yearly instalments, as provided by the rules passed by the Honourable the Governor in Council, under date the 9th day of March 1863, No. 488 A, and shall at the same time sign an acknowledgment in one of the Forms (U.) or (V.) (as the case may require), annexed to the said rules.

(3.) "That if the purchaser shall elect to pay the residue of his purchase money within 30 days, he shall, within 30 days from the day of sale, pay to the said collector the residue of his purchase money, and shall thereupon receive a conveyance of the premises in the form marked (X), annexed to the said rules.

(4.) "That if the purchaser shall elect to pay the residue of his purchase money by three yearly instalments, he shall, within 10 days from the day of sale, execute a deed in the form marked (Y), annexed to the said rules.

(5.) "That all persons desirous of becoming purchasers are to satisfy themselves as to the identity and correct description of the property, and the measurement and boundaries of the premises, previous to the sale; as by having the premises knocked down to him, the purchaser thereof shall be held to have waived all objections to any mistakes that may afterwards appear to have been made in the description of the premises, as well as to any other error whatever in the particulars of the property.

(6.) "That if the purchaser elects to pay within 30 days, and if, from any cause whatever the purchase shall not be completed by the thirtieth day from the day of sale, or if the purchaser shall elect to pay by instalments, and shall neglect for 10 days from the day of sale to execute a deed in the form marked (Y.) annexed to the said rules, then the purchaser shall pay to the collector interest at the rate of 12 rupees per cent. per annum, on the remainder of his purchase money, from the day of sale until the purchase shall be completed in the one case, or until a deed in the Form (Y.) be executed in the other case, without prejudice nevertheless to the right of resale reserved by the seventh condition.

(7.) "That if the purchaser shall neglect or refuse to comply with the above conditions, or any of them, his deposit money shall be forfeited, and retained by Government, and the Government shall be at liberty to resell the premises either by public auction or private contract, without the necessity of previously tendering a conveyance to the purchaser; and the deficiency, if any, arising from such resale, together with all expenses attending it, shall be made good by the purchaser at the present sale, who shall so neglect or refuse, as and for liquidated damages."

Dated

Collector of Salem.

ACT No. XXIII. of 1863.

An Act to provide for the Adjudication of Claims to Waste Lands.

Preamble.

Whereas it is expedient to make special provision for the speedy adjudication of claims which may be preferred to waste lands proposed to be sold or otherwise dealt with on account of Government, and of objections taken to the sale or other disposition of such lands; it is enacted as follows:—

Provision for inquiry into claims to land or objections to sale of same.

I. When any claim shall be preferred to any waste land proposed to be sold or otherwise dealt with on account of Government, or when any objection shall be taken to the sale or other disposition of such land, the Collector of the district in which such land is situate, or other officer performing the duties of a Collector of land revenue in such district, by whatever name his office is designated, shall, if the claim or objection be preferred within the period mentioned in the advertisement to be issued for the sale or other disposition of such land, which period shall not be less than three months, proceed to make an inquiry into the claim or objection.

Procedure in such cases

II. The Collector or other officer as aforesaid, shall call upon the claimant or objector to produce any evidence or documents upon which he may rely in proof of his claim or objection, and after considering the same, and making any further inquiry that may appear proper, shall dispose of the case by an order for the admission or rejection of the claim or objection, and if the land is proposed to be sold, for the sale of the same, subject to any condition or reservation which to such Collector or other officer as aforesaid shall appear to be proper. If the land is ordered to be sold subject to any condition or reservation, such condition or reservation shall be notified to intending purchasers at the time of sale.

Pending inquiry, sale, &c., to be postponed.

III. Pending an inquiry into any claim or objection under the last preceding Section, the Collector or other officer as aforesaid, shall postpone the sale or other disposition of the land, and if he shall order that such claim or objection be rejected, he shall further postpone the sale or other disposition of the land, to allow the claimant or objector to contest the order of rejection in the manner hereinafter provided.

Sale to be stopped if claim appear to be established, but may afterwards be proceeded with.

IV. If the Collector or other officer as aforesaid shall consider the claim or objection to be established, and that the sale or other disposition of the land should not take place, he shall stop the sale or other disposition of the land; but such sale or other disposition of the land may afterwards be proceeded with, if, on an order issued by the Local Government to try the claim or objection as provided in Section VI. of this Act, the claimant or objector shall fail to establish the same.

Procedure after passing of order in the case.

V. If the Collector or other officer aforesaid shall order that the claim or objection be rejected, or that the land be sold subject to any condition or reservation, or that it be otherwise dealt with, he shall cause a copy of such order to be delivered to the claimant or objector, and if such claimant or objector shall not, within one week from the delivery of such copy, or within such further time as the Collector or other officer as aforesaid, for any special reason to be recorded shall see fit to grant, give notice in writing to such Collector or other officer as aforesaid that he intends to contest such order, the order shall be final. If the claimant or objector shall, within the time allowed, give such notice, the Collector or other officer as aforesaid shall immediately make a report to the Board of Revenue or other superior revenue authority, and shall forward with such report a copy of his order, stating fully all the circumstances of the case, and the evidence adduced in support or otherwise of the claim or objection; and such Board or other authority, on the receipt of such Report, and after calling for any further information which it may consider necessary, may confirm, modify, or reverse the order of the Collector or other officer as aforesaid. If the Board, or other authority as aforesaid confirm the order of the Collector or other officer as aforesaid, or modify such order in such manner as to leave any part of such order in force adverse to the claimant or objector, the Collector or other officer as aforesaid shall certify such order to the Court constituted as hereinafter provided, and such Court shall forthwith give notice to the claimant or objector; and if such claimant or objector shall not, within 30 days from the delivery of such notice from the Court, institute a suit in such Court to establish his claim or objection, the order of the Board or other authority aforesaid shall be final.

Report to Revenue Board.

Decision of Board.

Local Government may, within 12 months, order suit to be brought to try claim admitted by collector.

VI. The Local Government may, within 12 months after the date on which the claim of any claimant of waste land, or the objection of any objector as aforesaid shall have been admitted under this Act by the Collector or other officer as aforesaid, direct a suit to be brought to try the claim or objection of the claimant or objector, in a Court constituted as hereinafter provided.

Special court for trying claims.

VII. For the investigation and trial of claims under this Act, the Local Government shall constitute, in every district in which there may be any waste lands capable of being sold or otherwise dealt with on account of Government, a Court consisting of an uneven number of persons, not less than three, of whom the Judge of the District, or the officer presiding in the principal Civil Court of original jurisdiction in the district by whatever name his office may be designated, shall be one. Any one or more of the members of which such Court shall consist, shall have power to make all such orders in the case as may be

necessary prior to the hearing of the suit; provided that, whenever the Collector or other officer by whom the original inquiry was held is the officer presiding in the principal Civil Court of original jurisdiction in the district, such officer shall not be a member of such Court.

Notice of constitution of special courts, claims not cognizable in other courts.

VIII. Whenever any Court is constituted under this Act, notice thereof shall be given by a written proclamation, copies of which shall be affixed in the several Courts, and in the offices of the several Collectors and Magistrates of the district, and from the date of issue of such proclamation, no other Court shall be competent to entertain any claim or objection belonging to the class of claims or objections for the trial and determination of which such Court is constituted.

Special courts where to be held.

IX. The Courts constituted under this Act shall be held at such place or places within the limits of their respective jurisdictions as shall be considered most convenient.

Plaintiff and defendant in suits under section V.

Proviso.

X. In every suit instituted under Section V. of this Act, the claimant of the waste land, or objector to the sale or other disposition of such land shall appear as plaintiff, and the Collector or other officer aforesaid shall appear as defendant on the part of Government. Either party may appear by pleader or by agent; provided, that if such other officer as aforesaid, be the presiding officer of the principal Civil Court of original jurisdiction in the district, the Local Government shall appoint some other officer to appear as defendant in the case on its behalf. In any suit ordered to be instituted by the Local Government under Section VI of this Act the Government, by any officer to be appointed for the purpose, shall appear as plaintiff, and the claimant or objector as aforesaid shall appear as defendant.

Plaintiff and defendant in suits under Section VI.

Proceedings regulated by Civil Procedure Code

XI. In suits instituted under this Act, except as hereinafter provided, the proceedings shall be regulated, so far as they can be, by the Code of Civil Procedure.

Procedure before hearing of suit.

XII. The Court shall fix a day for the appearance of the parties and for the hearing of the suit, of which due notice shall be given to the parties or their agents, and on the day so fixed the parties or their agents shall bring their witnesses into Court, together with any documents on which they may intend to rely in support of their respective statements. If either party require the assistance of the Court to procure the attendance of a witness on such day, he shall apply to the Court in sufficient time before the day fixed for the hearing of the suit, and the Court shall issue a subpœna requiring such witness to attend the Court on that day. It shall be competent to the Court to require the personal attendance of the claimant of the waste land or objector as aforesaid on the day fixed for the hearing, or at any subsequent stage of the suit.

Procedure on hearing.

XIII. On the day fixed for the hearing of the suit, or as soon after as may be practicable the Court shall proceed to examine the claimant of the waste land, or the objector or his agent (when his personal attendance is not required), and the witnesses of the parties, and upon such examination, and after inspecting the documents of the parties, and making any further inquiry that may appear necessary, shall proceed to pass such order in the case as it may consider just and proper.

No appeal or revision.

XIV. No appeal shall lie from any decision or order passed under this Act, nor shall any such decision or order be open to revision.

Reference of question of law, &c., to High Court, &c.

Such reference obligatory in certain cases.

XV. If, on the trial of any suit under this Act, any question of law, or of usage having the force of law, or the construction of a document affecting the merits of the case shall arise, on which the Court shall entertain reasonable doubts, the Court may, either of its own motion or on the application of any of the parties to the suit, draw up a statement of the case and submit it, with its own opinion, for the opinion of the High Court of Judicature, or of the highest Civil Court of Appeal and revision in the territory, in which the land is situate; provided that it shall be the duty of every Court held under this Act to make such reference to such High Court or Court of Appeal, if in any suit under this Act any question shall arise involving any principle of general importance, or the rights of a class.

Court may proceed notwithstanding reference.

XVI. The Court may proceed in the case notwithstanding a reference to the High Court, or other highest Civil Court of Appeal as aforesaid, and may pass an order contingent upon the opinion of the High Court, or other Court as aforesaid on the point referred, but no final order for the sale or other disposition of the land in question in the suit, or for the admission or rejection of any claim or objection which shall be before the Court in such suit, shall be passed until the receipt of the order of the said High Court, or highest Civil Court of Appeal.

Record of cases where to be deposited.

XVII. The record of cases disposed of by Courts constituted under this Act shall be deposited amongst the records of the principal Civil Court of original jurisdiction in the district in which the property in dispute is situate.

Limitation as to claims to land sold or dealt with.

Provisions for such claims if preferred within time.

XVIII. No claim to any land, or to compensation or damages in respect of any land sold or otherwise dealt with on account of Government as waste land, shall be received after the expiration of three years from the date on which such land shall have been delivered by the Government to the purchaser, or otherwise dealt with. If within three years after any lands have been delivered by the Government to the purchaser, or otherwise dealt with, any claimant or objector shall prefer a claim to the land so delivered or otherwise dealt with, or an objection to such sale, or to compensation or damages in respect thereof, in the Court constituted under this Act for the district in which the land is situate, and shall show good and sufficient reason for

for not having preferred his claim or objection to the Collector or other officer as aforesaid, for within the period limited under Section 1 of this Act, such Court shall file the claim or objection, making the claimant or objector plaintiff, and the Collector of the district or other officer as aforesaid (with the like provision as aforesaid, if such other officer be the presiding officer of the principal Civil Court of original jurisdiction in the district), the defendant in the suit, and the foregoing provisions of this Act shall be applicable to the trial and determination of the suit. The report of the officer employed to give delivery, or to take possession on the part of the Government, of the land sold or otherwise dealt with, shall be conclusive evidence as to the date on which such delivery was made, or possession was taken.

If claim established, possession not to be given, but compensation.

XIX. In any case in which the land has been sold, if the Court shall be of opinion that the claim of the claimant is established, the Court shall not award the claimant possession of the land in dispute, but shall order him to receive from the Government Treasury, by way of compensation, a sum equal to the price at which the land was sold, in addition to the costs of suit.

When land has not been absolutely sold, or has been otherwise dealt with.

XX. If the land shall have been sold subject to any condition or reservation, or shall not have been sold, but shall have been otherwise dealt with on account of the Government, and the Court shall be of opinion that the claim to such land, or the objection of an objector is established, the Court shall award the claimant or objector to receive such sum in respect of his interest in such land as shall be awarded in that behalf under the provisions of Act VI of 1857 (*for the acquisition of lands for public purposes*), and thereupon the Local Government shall proceed under the said Act to obtain an award of the value of such interest.

Award under the two last sections to be in full satisfaction.

XXI. An award under any of the provisions of the two last preceding sections shall be in full satisfaction of the claim of the claimant or objector, and shall bar any future claim on his part in respect to the land in suit resting on the same cause of action, or on a cause of action which existed prior to the date of the sale or other disposition of the land on account of Government.

Government not barred from awarding compensation for land absolutely sold, though claim be not preferred in time.

XXII. Nothing in this Act shall be held to prevent the Local Government from awarding to any claimant of waste land sold on account of the Government, on proof to the satisfaction of the Local Government of the claim of such claimant (notwithstanding that he may not have preferred his claim either to the Collector or other officer as aforesaid, or to the proper Court constituted under this Act within the period prescribed by this Act), such amount of compensation for the said land within the limit as to amount mentioned in Section XIX of this Act, if the land have been sold not subject to any condition or reservation as to such Local Government may seem proper.

Compensation for land sold subject to condition, if claim proved, though not preferred in time.

XXIII. If the land have been sold subject to any condition or reservation, or have been otherwise disposed of on account of Government, and any claim to such land, or objection to the sale or other disposition of the land shall be proved to the satisfaction of the Local Government, although not preferred to the Collector or other officer as aforesaid, or to the Court constituted under this Act, within the period prescribed by this Act, the Local Government may award to such claimant or objector such amount as to such Local Government may appear to be the value of the interest of such claimant or objector in such land.

Interpretation. Number. Gender.

XXIV. Unless the contrary appears from the context, words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number, and words importing the masculine gender shall include females.

Enclosure 5, in No. 56.

(No. 208.)

From *P. Grant*, Esq., Collector of Coimbatore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue.

Coimbatore Collector's Office, Ootacamund,
6 October 1862.

Sir,

1. With reference to the Board's Miscellaneous Circular, dated 26th September 1862, No. 6507, I have the honour to forward a notification which, with their approval, I purpose publishing in my district gazette. Pending the Board's reply (which I hope to receive soon), I will arrange with the district engineer for the survey of such lands as may be applied for.

2. In framing the enclosed notification, I have been chiefly guided by the draft rules forwarded with the Proceedings of Government, dated 27th February 1862, No. 433.

3. The points to which I beg special attention are—

I. Whether any time is to be allowed for payment?
II. Whether there is to be any limit to the size of the lots?

4. As to the first, I think, payment should precede possession, and that a heavy penalty should attach to the failure of a purchaser to conclude his bargain, as a security to the other bidders.

5. As to the second, I think that if the Government deem it an object to secure competition, there should be some limit, say 500 acres for agricultural allotments, and 15 acres for building sites at the different Hill stations.

6. I propose notifying all future sales in the district gazette, as well as by notice at Ootacamund, Coonoor, Wellington, Kotagherry, and in the villages adjoining the lands themselves. I would submit for consideration whether they should also be advertised in the local paper, viz., the "Neilgherry Star."

7. I beg to be particularly informed whether I am right in considering that the order of Government applies to all Government lands on the slopes, as well as the plateau of the hills. This question I ask, as several applications for lands on the slopes have been made, and the applicants are anxious to obtain early possession of them.

I have, &c.
(signed) *P. Grant,* Collector.

NOTIFICATION.

UNDER instructions from Government, the Collector of Coimbatore gives notice that Government lands on the Neilgherry hills will from this date be disposed of under the following rules only :—

I. Applicants for land must apply in writing to the Collector stating the situation and extent of the land sought.

II. If there be no objection to the sale of the lands, intimation to that effect will be given to the applicant who must therefore deposit with the Collector a sum sufficient to cover the probable cost of survey and boundary marks which is generally estimated at annas per acre.

III. On receipt of such deposit the Collector will make arrangements for the survey of the land, as soon as practicable, and will publicly advertise the intended sale of the lands, the upset price, annual assessment, time and place of sale.

IV. All lands disposed of on the Neilgherry hills shall be sold by public auction to the highest bidder, and shall be put up at an upset price of 5 rupees per acre for wooded or sholah land, and 2½ rupees per acre for open or grass land, subject further to a yearly assessment of 2 rupees per acre for the former, and 1 rupee per acre for the latter from the date of possession being given.

V. The actual purchaser shall pay in addition the expense of survey and boundary marks as actually incurred. If the original applicant be the purchaser, and the cost of survey and boundary marks exceed the sum deposited by him under Rule 2, he shall make good the deficit; if, on the other hand, the cost of survey and boundary be less than his deposit, the surplus shall be refunded to him. If the original applicant be not the purchaser, the whole of his deposit shall be refunded to him.

VI. The purchase money must be paid to the Collector before possession can be given.

VII. The assessment shall be paid annually on or before the 30th June of each year, for the preceding 12 months.

VIII. It shall be competent to any purchaser of land to redeem the annual assessment at any time by paying up a sum equal to 25 years' purchase of the said assessment, and the land so redeemed shall thenceforth be free of all land-tax payable to the State.

IX. All transfers of land bought under this notification must be registered in the Collector's books within six months of such transfer.

X. In the event of the purchase money of any lot not being paid within six months of the day of sale, such lot shall be resold at the risk of the first purchaser who shall forfeit all gain and make good all loss consequent on such resale, as well as the assessment due on the land.

XI. Arrears of assessment shall be recoverable in the same manner as arrears of ryotwary land revenue are, or may be recoverable by law.

XII. On the completion of the purchase of land, the purchaser shall be furnished with a title deed in the following form, and shall be bound by its terms, as well as by the conditions stated in this notification.

FORM OF TITLE DEED.

KNOW all men by these presents, that the Governor in Council of Madras has sold to his heirs, executors, administrators and assigns, for the sum of rupees a day received by me, the tract of land measuring British statute acres situate in to be holden by him in full proprietary right, subject to the following conditions :—

I. The aforesaid lands are subject to an annual payment to the Collector for the time being of rupees payable on or before the 30th June of each year for the 12 months preceding.

II. Arrears.

II. Arrears of assessment shall be treated in the same manner as arrears of ryotwary land revenue, and be subject to the same measures of realisation.

III. No transfer of proprietary right will be recognised by the Civil Courts or by the Revenue Officers of Government unless duly registered.

IV. The proprietor is to maintain permanent boundary marks round his grant and keep them in a state of repair.

V. The grant conveys the plenary right to all products both above the surface and below the same.

VI. The existing and customary rights of Government, of other proprietors and of the public, in existing roads and paths, in streams running through or bounding the estate, will be maintained for purposes of irrigation and navigation, and for the transport of timber or other property, and for other purposes of general utility. The Government reserves to itself the right which it everywhere possesses over all such streams, whether for purposes of irrigation or navigation, and whenever it sees fit, can assume the control of the waters, and distribute them in such manner, and on such conditions as may seem most conducive to the public good.

VII. The lands included in this deed are shown in the subjoined table:—

Number of Grant.	Talook and Village.	Boundaries of Grant.	Area in Acres.

VIII. The proprietor shall be at liberty at any time to redeem the annual assessment of the said land by payment of rupees, and after such payment the said land shall be free for ever from all demand for land revenue.

IX. The liability of the lands herein specified to municipal or local taxes, is not affected by this grant.

I am, &c

Coimbatore, Collector's Office, 6 October 1862. (signed) *P. Grant*, Collector.

Enclosure 6, in No. 56.

Proceedings of the Madras Government, Revenue Department, 6 December 1862.

1. Ordered that the above letter be submitted for the orders of Government with reference to their proceedings dated 24th September 1862, R. D., No. 2080, and in continuation of the Board's letter dated 14th October 1862, No. submitting the draft of rules for the sale of waste land.

2. Mr. Grant's proposed rules are in some respects imperfect, and in others opposed to the Board's draft, while the system proposed by Government for the Neilgherries is so different from that to be introduced elsewhere that, if it is to be maintained, further instructions are necessary on some minor details, among which may specially be mentioned, the mode in which payment is to be made for the land.

3. As regards the limit to be prescribed on the Neilgherries for the size of the lots, the Board consider Mr. Grant's proposal of 500 acres for a farm or plantation allotment, and 15 acres for a building site in the cantonment, to be suitable and reasonable.

4. They understand that in the Wainád, 300 acres are the extent which is preferred for a single coffee plantation, as manageable without difficulty, while a larger extent would as a rule include an undue proportion of unsuitable land.

5. The Board presume that whatever rules are determined on for the Neilgherry plateau will apply equally to the slopes towards the lower country, and here again they would point how great will be the inequality between occupiers on these hills under the Government rules, and settlers in the close neighbourhood, in the Wainád and in Coorg, on the far more advantageous terms contemplated by the Secretary of State's Despatch and the Resolution of the Supreme Government.

(signed) *W. Hudleston*, Secretary.

Enclosure 7, in No. 56.

Official Memorandum from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to the Honourable *T. Pycroft*, Chief Secretary to Government (No. 821); dated Madras, 27 October 1862.

1. In reply to the Chief Secretary's Memorandum dated 24th October 1862, the Secretary Revenue Board has the honour to state that the inequality to which the Board referred in the position of intending settlers on the Neilgherries under the conditions proposed by

Government in their order dated 24th September 1862, No. 2080, Revenue Department, paragraphs 8 to 14 inclusive, and of intending settlers in the Wainád and Coorg under the terms of the Governor General's Resolution and the Despatch of the Secretary of State, is in the amount which they will be required to pay for the land to obtain it free of assessment and to the resulting disadvantage to the Neilgherry settler of an annual payment should he not be able to redeem the land tax on the terms proposed.

2. The price originally proposed by the Governor General for land unencumbered with jungle was 5 rupees per acre, and for forest land *Rs.* 2. 8. per acre.

3. The objection of the Secretary of State to this part of the Resolution was based on the unfitness of such a rate for all lands without reference to their relative advantages, and he directed that a minimum price should be fixed in communication with the local authorities for the various descriptions of soil, and that the land should be sold at auction at this upset price.

4. In the rules subsequently published for the Bengal Presidency *Rs.* 2. 8. per acre is adopted as the minimum upset price, and 10 rupees per acre as the maximum. This will include all the Darjeeling and Assam lands suited for tea cultivation.

5. In the published rules for the North Western Provinces issued since the receipt of the Secretary of State's Despatch the upset price is fixed "at five rupees" per acre for cultivated and *Rs.* 2. 8. for uncultivated land, unless for some special reason (such as proximity to a station, valuable timber being on the land, &c.) that rate be held to be inadequate, in which case the Collector is to report to the Revenue Board what upset price he thinks proper for their confirmation, and the land will be sold free of assessment to the land revenue. These terms will apply to all the lands in the Dehra Doon and on the hill ranges not in the immediate vicinity of the stations of Simla, Mussoorie, Almora, &c.

6. The upset price proposed by this Government for the whole of the waste lands on the Neilgherries within or without the cantonment is 55 rupees per acre for jungle land and 27½ rupees per acre for open grass land which rates appear to the Board almost prohibitive and certainly as contrasting most unfavourably with the terms under the other Governments above mentioned. It is most probable that one or other of those schemes will be applied to lands in Coorg, and the Board did not contemplate that more restrictive terms could be intended for the Wainád.

By order,
(signed) *W. Hudleston*, Secretary.

Enclosure 8, in No. 56

Order thereon, 6 December 1862, No. 2554.

1. With the first of the above letters the Board of Revenue submitted the draft of a notification prepared by the Collector of Coimbatore regarding the sale of lands on the Neilgherry hills, on the terms laid down in G. O. 24th September last, No. 2080. The Board in submitting the draft drew attention to the great "inequality between occupiers on these hills under the Government rules, and settlers in the close neighbourhood, in the Wainád and Coorg, on the far more advantageous terms contemplated by the Secretary of State's Despatch and the Resolution of the Supreme Government." The second paper above recorded contains a fuller statement of the inequality referred to.

2. The Governor in Council observes that the Neilgherry hills cannot be termed "unassessed waste." So far back as 1850 the Government prescribed, with the approval of the Home Governments, the conditions on which land on the Neilgherries would be granted to Europeans for agricultural purposes. Under these rules the fee simple property in the land was in no case to be disposed of, the utmost that could, except in special cases, be granted was a lease for 33 years for agricultural, and 99 years for building purposes; and all land was put up to auction at an upset price of from eight to ten years' assessment, subject to the yearly assessment.

3. In 1859 these rules were revised. Land required for agricultural purposes was to be put up to auction without any upset price, but subject to an annual assessment of 1 rupee per acre, redeemable at 20 years' purchase. Building lots in the stations were to be put up to auction at an upset price of 20 rupees per acre on freehold tenure.

4. Practically, therefore, the hills have been and are "assessed," and the Board will find in paragraph 20 of the last Despatch from the Secretary of State that the Supreme Government have themselves described the Neilgherries, Shervaroys and Wainád as "lands which, being assessed at 1 rupee per acre, will not be purchasable for less than 20 rupees per acre." It is obvious that land is not the less "assessed" because the Government have prescribed an uniform rate on the principle of an average instead of, as usual, rates varying with the quality of the soil.

5. Under these circumstances the Board will perceive that their arguments are inapplicable, and that lands on the hills cannot in fact be sold in the manner they contemplate without actually infringing the Resolution of the Supreme Government.

6. There can be no doubt that the assessment fixed in G. O., 24th September last, is extremely light, and taking into consideration the natural advantages of climate, soil, and proximity to the coast which the hills possess, and the expenses which the State has incurred

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and must continue to incur in the general administration of the tract, the Government can see no reason for sacrificing, on such easy terms as the Board seem to contemplate, a revenue which is paid with ease, and for which the settler receives such solid benefits.*

7. On a careful reconsideration of the Order of September, the Governor in Council resolved to abandon the upset price therein ordered, as it may reasonably be assumed that competition at the auctions will bring in whatever the land may be worth over and above the annual assessment. All land applied for, if not reserved for public reasons, will be put up to auction without any upset price, but subject to an annual assessment of 2 rupees per acre for "Shola" or wooded, and 1 rupee per acre for "grass" or open land. The maximum size, of each lot will be 500 acres for agricultural, and 10 acres for building purposes, but an applicant may apply for several contiguous lots, each not exceeding the above area.

8. The purchaser of any lot may at any time redeem the assessment on it at 25 years' purchase, as ordered by the Secretary of State.

9. The Collector's draft rules have been modified to suit the above decision. The Board will ascertain from the Government Pleader whether the form of deed is sufficient for the objects in view, and will furnish the Collector with a form of sale advertisement and redemption deed.

(signed) *J. D. Sim*, Secretary to Government.

Enclosure 9, in No. 56.

LETTER from *G. A. Ballard*, Esq., Collector of Malabar, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 207); dated Calicut, 9 October 1862.

1. I HAVE the honour to acknowledge receipt of the proceedings of the Board, covering Government Order, dated 24th September 1862, No. 2080. I am directed to furnish at once the information required in paragraphs 3 and 4 of that Order.

2. With reference to paragraph 3, I would refer to my letter to the Board of the 19th August last, No. 170, reporting the applications that had been made for waste lands in Malabar, in reviewing which communication the Board observed that no step beyond registry could be taken pending the publication of the subsidiary rules. No arrangements, therefore, have been completed for the sale of waste under the Resolution of the Government of India of October last, nor have any been made for the redemption of the land revenue.

3. I will report further on the subject of paragraph 4 of the Government Order under review very shortly, but I am desirous of receiving instructions regarding the Government waste lands in Wynad with the least possible delay. I would strongly advocate that the action of the rules just applied to the Neilgherries be, with some modification, extended to Wynad also.

4. If on the Wynad applications the payment of a price down sufficient to cover the purchase of the proprietary right, and 20 to 25 years' moderate assessment is made compulsory, I much fear it will check enterprise, and it will certainly circumscribe competition.

If a nominal minimum price only is fixed, the interests of Government would be seriously sacrificed.

If, however, the proprietary right is sold at an easy rate, with a moderate assessment, redeemable either at sale or at some future period, at the option of the purchaser, enterprise and competition have full scope, whilst Government interests are secured.

5. I would therefore propose that on application for Government waste in Wynad the proprietary right be put up to auction at a minimum price of five rupees for heavy forest and two-and-a-half rupees for open land per acre, subject only to an annual assessment of one rupee and half a rupee per acre respectively. The assessment to be payable throughout the holding, cultivated or uncultivated, but in the case of *bonâ fide* coffee cultivation, commencing with purchase, not to be leviable till the third year.

The assessment to be redeemable at the time of purchase of the proprietary right, or at any subsequent period, on payment of 20 times its annual amount.

I am strongly of opinion that a higher rate throughout the holding than I have named cannot be exacted; and I believe it will be found that much of the open land will not bear what I have proposed.

6. No single application should embrace more than 300 acres; otherwise a capitalist might practically exclude competition by applying for a tract the upset price of which would virtually prevent others bidding for it. But there should be no objection made to the same individual company applying for several lots, contiguous or otherwise, each not exceeding the limit.

7. I venture to hope these modifications will commend themselves to the Board; and that I may be permitted to publish the Neilghery Rules thus modified at once. I am very sanguine the result would quickly show their applicability to Wynad.

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* NOTE.—The Government maintain the following Establishments on the Hills:—
At Ootacamund—A subordinate court; a magisterial office presided over by an European officer; two medical officers; a chaplain; a tahsildar with treasury; police force; post office; telegraph office; an executive engineer.
At Coonoor—A medical officer; a chaplain.

The Collector will please to report the upset price which he considers would be fair for the sale of waste land, free of assessment, which is the system contemplated by the Resolution of the Governor General, and in the Despatch of the Secretary of State.

(signed) *W. Hudleston,*
Secretary.

To G. A. Ballard, Esq., Collector of Malabar.

Enclosure 10, in No 56.

From *G. A. Ballard,* Esq. Collector of Malabar, to *W. Hudleston,* Esq. Secretary to the Board of Revenue, Madras (No. 170); dated Calicut, 19 August 1862.

* Miscellaneous.

In reply to the Board's Circular,* dated 2d instant, No. 5028, I have the honour to submit statement in abstract of the number of applications and extent of land applied for, in connexion with the Governor General's Resolution regarding the sale of waste, and to express my opinion that more applications would doubtless have been made, if the subsidiary rules of the Local Government had been issued. I have no doubt many will be made as soon as the rules are issued.

2. I take this opportunity of submitting a notice I issued soon after arrival in the district. This was all the action that the orders of Government appeared to admit of.

3. I observe by an issue of a local paper received a day or two ago that the Collector of Coimbatore appears to be "giving publicity to," and acting on the draft rules. I request I may be informed if this course can be pursued here. It is most desirable that definite rules should be published, and action permitted, with respect to the Wainád and other hill tracts in Malabar.

(Enclosure No. 1.)

Statement in Abstract of the number of Applications, and extent of Land sought under the Resolution of the Governor General of India in Council (No. 3264); dated 17 October 1861.

No.	Names of Applicants.	Extent of Land Applied for.	Locality.	Remarks.
		Acres.		
1	Mr. R. Nicol - -	1,000	Wainad.	
2	Mr. Alexander Gibray -	3,000	Mysore, Coorg or Wainad.	
3	Mr. Donald M'Gregor -	3,000	Ditto.	
4	Mr. J. W. Minchin -	Not given -	Wainad -	Land denominated "Kullagum Mulla" is applied for.
5	Colonel J. W. Woolridge	1,000	Ditto.	
6	Mr. G. N. Smyth - -	1,200	Walaghat.	
7	Mr. G. F. Brown - -	Not given -	Wainad -	Land on the western side of the Terunelli Pagoda.
8	Mr. J. Gordon - -	200	Ditto.	
9	Mr. J. Thorpe Appleton -	About 1,500	Walaghat.	
10	Mr. F. J. Ferguson -	About 2,000	Wainad.	
11	Messrs. Arbuthnot & Co.	2,000	Ditto.	
12	Mr. Arthur Lascelles -	2,000	Ditto.	
13	Mr. G. N. Smyth - -	4,000	Walaghat.	
14	Mr. C. Y. Reed - -	Not given -	Wainad -	Applies for all the forest land situated at the western extremity of the Terunelli Valley.
15	Eduman Pilla - -	20	Ditto.	
16	Virappan Pilla and Modura Pilla.	Not given -	Ditto -	The hill denominated "Pudikadava Kunu" is applied for.
17	Strinivassa Modili - -	Ditto -	Ditto -	The hill denominated "Cuppungara Kunu" is applied for.
18	Minoki - - - -	Ditto -	Ditto.	
19	Thuminakaran - -	Ditto -	Ditto -	The hill denominated "Umbala Kunu" is applied for.
20	Gopala Nair - - -	10	Ditto.	
21	Chinasammi - - -	Not given -	Ditto -	The hill denominated "Culputur" is applied for.

Calicut,
19 August 1862.

(signed) *G. A. Ballard,*
Collector.

(Enclosure No. 2.)

NOTICE.

1. THE collector of Malabar gives notice that until the orders of Government, shortly expected, are received, he can do no more than register applications for tracts of land for coffee planting, &c. By the orders of Government, applicants are not to be put in possession till certain rules now in contemplation, regarding the sale and tenure of such lands, are formally introduced.

2. Meantime applications will be registered. They should be addressed to the collector of Malabar. Priority of application will be duly considered.

3. Applications should be as definite as possible, both as regards the extent, the boundaries, and the nature of the ground applied for.

4. Immediate publicity will be given to the Government Orders on this subject, when received.

Circuit Cutchery, (signed) *G. A. Ballard*, Collector.
Vadakaucherri, 17 May 1862.

The collector is informed that no step beyond registry of applications is proposed to be taken at present in Coimbatore, or can be taken elsewhere, under the Governor General's Resolution, pending the publication of the subsidiary rules of the local government.

(signed) *W. Hudleston*, Secretary.

Enclosure 11, in No. 56.

PROCEEDINGS of the Madras Government, Revenue Department, 23 December 1862.

LETTER from *G. A. Ballard*, Esq., Collector of Malabar, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Fort Saint George (No. 237); dated Calicut, 19 November 1862.

Sir,

1. ADVERTING to the Board's Proceedings of the 30th ultimo, No. 7188, on my letter to your address of the 9th ultimo, No. 207, I have the honour to observe that I think 25 years might be substituted for 20 in paragraph 5 of my letter, and that I would propose 25 years' purchase of the assessment in addition to the upset prices of 5 rupees and *Rs.* 2. 8. per acre on forest and open land respectively, if there is no competition, or in addition to the highest price bid if there is competition, as the price at which such lands should be sold free of assessment.

2. But I would respectfully urge that this redemption of the assessment should be left optional with the purchaser. It must be remembered that under the rules the land would be surveyed before sale, its extent will be accurately known, the assessments proposed will be on its whole extent, independent of cultivation, and invariable in amount, and consequently the collection will be attended with the least possible trouble to Government or inconvenience to the landowner.

3. If redemption of assessments on the terms proposed is made compulsory it will grievously check investment, and if it is allowed on easier terms it will (as it appears to me, needlessly) sacrifice the interests of Government.

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1. Mr. Ballard's proposal is equivalent to saying that forest land in the Wainád shall not be obtainable at a less price than

Five rupees + (assessment rupees 1 × 25 years =) 25 rupees = 30 rupees per acre, or open land at less than 2½ rupees + (assessment annas 8 × 25 years =) 12½ rupees = 15 rupees per acre, at which rates any European or Native capitalist desirous of establishing a coffee plantation of 300 acres extent in the Wainád, on the same footing as land will, it is believed, be obtainable for tea plantations in the other Presidencies, or for coffee on the Mahabuleshwar range, or in Coorg, or on the Mysore slopes of the Western ghauts would have to pay down 900 *l.* for forest land, or 450 *l.* for open land, as the case may be, before commencing operations, and could not under the most favourable circumstances expect the least return for this investment and for the additional expense of reclaiming the land and forming the plantation under three years.

2. Mr. Ballard does not however propose to adopt the system advocated by the Supreme Government, and would follow by preference that which this Government have declared applicable to the Neilgherries, which is altogether different in principle, and in the opinion of the Board holds out less encouragement than the former to the settlement of Europeans, and the investment of capital in planting operations.

3. The Board have already submitted for the consideration of Government that intending settlers on the Neilgherries and in the Wainád would be placed at a great disadvantage if the lands in those places should be subjected to an annual assessment, while in other parts of India similar lands will be sold free of assessment. They need, therefore, scarcely say that they are opposed to Mr. Ballard's proposal, which differs from that of Government only in so far that his proposed annual assessment for the Wainád lands is lower than that fixed by Government for the less valuable land on the Neilgherries.

4. It is not now to be considered whether one system or the other is preferable for general adoption, but whether the lands of the Neilgherries and the Wainád are to be placed at a disadvantage as compared with lands suitable for profitable occupation by Europeans in every other part of British India.

5. The Board are of opinion that such a distinction would check the settlement of Europeans in those two parts of the country, and that on the other hand the public revenue would gain little or nothing by accepting these comparatively small areas from the general scheme.

6. They would regret the final adoption of a system which, in their opinion, is calculated to discourage enterprise and the investment of capital in this Presidency, and to check materially, in the localities in question, the development of a valuable source of wealth and prosperity; but, under the circumstances of the case, they consider it their duty to submit the above letters for the decision of Government with copy of Mr. Ballard's letter, dated 19 August 1862, reporting the extent to which applications for land under the terms of the Governor General's Resolution had been registered to that date and the Board's Proceedings thereon.

(signed) *W. Hudleston*, Secretary.

Enclosure 12, in No. 56.

ORDER thereon, 23d December 1862, No. 2677.

1. WITH these Proceedings the Board of Revenue submit a letter from the Collector of Malabar, proposing the terms on which, in his opinion, Government waste in Malabar should be sold under the Resolution of the Supreme Government, dated 17th October 1861, No. 3264.

2. At present, Government waste when sought for coffee cultivation, is put up to auction without any upset price, and besides whatever sum it may fetch at auction, pays a jenm or proprietary fee of 8 annas per acre on the whole area, and an annual assessment of 2 rupees per acre on every acre cultivated with coffee in and after the third year. If any crop other than coffee is raised on a portion of the estate the regulated assessment of the crop is levied. The assessment, unlike the jenm fee, is payable only on the cultivated area, and it as well as the jenm is redeemable at 20 years' purchase.

3. Mr. Ballard would, in modification of this system, sell the land at an upset price of 5 rupees per acre for "heavy forest," and 2½ rupees per acre for "open" land, subject to an annual assessment of 1 rupee per acre for the former and ½ rupee per acre for the latter, this assessment being payable on the whole area of the estate and from the date of purchase, in regard to all crops except coffee, to which he would allow two years' freedom of assessment. He would further allow proprietors the option of redeeming this assessment at 25 years' purchase.

4. The Board consider these rates excessive. They point out that the minimum price of land on freehold tenure would thus be 30 rupees per acre for forest and 15 for open land; that these rates contrast very unfavourably with those obtaining in Coorg, Mysore, and Bombay; and that in their opinion they will preclude the settlement of European capitalists.

5. The Government are unable to concur in the views expressed by the Board and the collector. They consider that Wainád, like the adjoining Neilgherries, is to all intents and purposes "assessed," and consequently that Government land in it is not saleable in the manner contemplated by the Board. Further, Wainád is peculiarly adapted to the cultivation of coffee—the administration of the talook is necessarily very expensive, and the influx of capital and settlement of Europeans are certainly not impeded by the assessment, which bears an insignificant ratio to the value of the produce. Native proprietors are known to be realising 10 and 12 rupees per acre for coffee land, and a considerable estate has, to the knowledge of Government, been lately sold for 40 rupees per acre, exclusive of the annual assessment which will still be payable. Even, therefore, if the talook were not practically "assessed," the Government would not feel warranted in making such a sacrifice of the public interests as the Board's proposition involves.

6. In respect to land not belonging in jenm right to Government, and Government land already taken up, the present system will remain unchanged, but as regards waste belonging to Government in jenm right, the Governor in Council considers that the Neilgherry system may with advantage be introduced into Wainád. The Government, as jenmakars, may undoubtedly deal with their land in this manner, and as the change will be prospective, and will apply only to lands not already taken up, private rights will in no respect be infringed. The present system of charging a low rate (¼ rupee per acre) on the whole area and an annual assessment only on the cultivated area, imposes on the Government the expense and the

trouble of periodical inspections and measurements, and affords facilities for retaining large tracts waste on mere speculation. The Governor in Council resolves, therefore, that Government waste shall hereafter be sold in Wainád, as on the Neilgherries, by auction without any upset price, but subject to an annual assessment from the outset of 2 rupees per acre for forest and 1 rupee per acre for grass land on the whole area. This assessment will be redeemable at any period at the option of the purchaser, at the rate ordered by the Home Government, viz., 25 years' purchase. The jenm fee will be abandoned entirely on lands sold on these terms.

7. There can be no doubt that this assessment is exceedingly light, especially when the heavy expenses are considered, which the Government must incur, in general administration and the construction of passes and roads. The Government are satisfied that an efficient administration of the Province is the likeliest means of inducing the investment of capital in it, but this object cannot be attained if the revenue is sacrificed. The Board of Revenue will make the necessary alterations in the Neilgherry Rules, and forward them to the Collector of Malabar.

(signed) *J. D. Sim*,
Secretary to Government.

Enclosure 13, in No. 56.

Proceedings of the Madras Government, Revenue Department, 21 February 1863.

Read Proceedings of the Madras Government, dated 15 and 19 January 1863, Nos. 100 and 121, Revenue Department.

1. The Board regret that it escaped their notice when submitting the collectors' recommendations that the Government Order of 24 September 1862, No. 2,080, required them to suggest a minimum price for the unassessed waste land at the disposal of Government in the different districts.

2. The upset price proposed by the collectors are:—

Ganjam.—Mr. Forbes: Forest, 2½ rupees per acre; other waste, 5 rupees.

Letter dated 30 August 1862, Submitted to Government on 2 December.

Vizagapatam.—Mr. Carmichael: Uncleared land, 5 rupees per acre; cleared land, 15 rupees.

Cuddapah.—Mr. Wedderburn: 5 rupees per acre for all unassessed waste.

Kurnool.—Mr. Banbury's Black cotton soil, 20 rupees per acre, Sandy clay 10 „ „, Red ferruginous 5 „ „ — With a deduction of 25 per cent. for uncleared land.

Mr. Minchin would reduce these rates by 50 per cent. on jungle land, and 25 per cent. on open land, if it is desired to encourage large sales, and proposes 2½ rupees per acre for land on the Nullamullays.

North Arcot.—Mr. Fraser: 3 rupees per acre for cleaed land. 1 „ „ jungle „ — In Palmanair and part of Godiatam, and Chittoor Talooks.

5 „ „ open land capable of being irrigated. 2 „ „ for jungle. — In all other parts of the district.

Trichinopoly.—Mr. McDonell: 10 rupees per acre for land at the base of the Pachamalais.

Salem.—Hon. Mr. Arbuthnott: 8 rupees per acre for superior jungle. 4 „ „ common grass land. — On the Shervaroys. 2½ rupees per acre for land in the plains.

Madura.—Mr. Levinge: 3½ rupees per acre for land in the plains. 10 „ „ for valuable jungle land. 5 „ for sholas and ordinary jungle. 2½ „ for open grass lands. 1 „ for poorest land. — On the hills including the Pulnis

Tinnevelly.—Mr. Silver: 12 rupees per acre for hill land where available.

Madras.—Mr. Cunliffe: 20 rupees per acre for dry land. 40 „ „ for nunjah.

3. Thus the several rates proposed, jungle or forest land, are per acre:—

Rs.	a.		Rs.	a.	
2	8	Ganjam.	12	–	Tinnevelly hills, and for open land per acre.
5	–	Vizagapatam.	5	–	Ganjam.
5	–	Cuddapah.	15	–	Vizagapatam.
Black - 15	–	Karnool, generally.	5	–	Cuddapah.
Clay - 7	8		20	–	Kurnool, generally.
Red - 3	12		10	–	
2	8	Nullamullays in Kurnool.	5	–	
1	–	In the western hilly part of North Arcot.	2	8	Nullamullays in ditto.
2	–	Elsewhere in North Arcot.	3	–	In western hills of North Arcot.
9	–	Puchamallay hills in Trichinopoly.	Irrigable - 5	–	Elsewhere in ditto.
8	–	Shevaroys, Salem.	Not so - 3	–	
2	8	In plains, Salem.	4	–	Shevaroys, Salem.
3	8	In plains, Madura.	2	8	Elsewhere in ditto.
10	–	Hills, Madura.	3	8	Plains, Madura.
5	–		2	8	Hills in ditto.
			1	–	
			Unirrigable 20	–	Madras.
			Irrigable - 40	–	

4. The Board do not think that the upset price should vary so materially in different parts of the country. They do not find in the collectors' reports sufficient grounds for making such distinctions. The fact common to all the dictricts is that unassessed waste will in general command a price in the market, on the ground that the purchaser will buy the land free from all Government charge. It is also apparent that the Government, by offering such land for sale in open market, instead of at an uniform fixed price as was at first contemplated, will secure to some extent a superior price for any land that may from special advantages, either of situation or fertility, exceed the average value. The Board, therefore, would recommend that in all districts the upset price be fixed at 5 rupees an acre for forest lands, and 2½ rupees an acre for other unassessed waste.

5. They propose that these upset prices should be adopted in the case of all unassessed waste at the disposal of Government, whether in the plains or on the hills, that may not for special reasons be excluded.

6. With regard to the Shevaroy hills, the Board observe that the Government, in their Order dated 1 July 1862, No. 1,433, concurred with the Board that the uniform 1 rupee tax imposed on the lands required for coffee cultivation on those hills was not the kind of assessment contemplated in the sale rules first published. The Government having, however, ruled subsequently that similar lands on the Neilgherry hills and in Wynad are not to be considered as unassessed, it remains for the Government to decide whether the lands on the Shevaroy hills are to be offered for sale as unassessed waste, or to be treated in the same way as the lands on the Neilgherry hills and in Wynad. The Board may remark that, comparatively speaking, there is on the Shevaroy hills very little of the kind of land best suited for coffee cultivation, that is land covered with forest.

(signed) *W. Hudleston*, Secretary.

Enclosure 14, in No. 56.

Order thereon, 21 February 1863, No. 375.

1. In these proceedings, the Board of Revenue state their views as to the upset price which should be fixed on unassessed waste in several districts of this Presidency.

2. The Board first give the prices recommended by the collectors, which vary from 1 rupee to 40 rupees per acre; and, for reasons stated, recommend that in all districts the upset price be fixed at 5 rupees for forest, and 2½ rupees for other unassessed waste, ordered to be sold on freehold tenure.

3. The course to be followed on the Shevaroy hills is specially referred for orders.

4. *Ganjam.*—The Government have already passed orders* on the Ganjam district.

* G. O. 24 December 1862. No. 2, 687.

5. *Vizagapatam.*—In Vizagapatam the acting collector (Mr. Carmichael) recommends 5 rupees for "uncleared" or forest land, and 15 rupees for "cleared" land. The first of these rates is approved by Government with the usual reservation that tracts of valuable timber are to be reserved, such tracts as it would be desirable for the Forest Department to work, and as are evidently sought merely for the sake of the timber on them.

6. As

6. As to cleared land, looking at the price proposed, the Government wish to be informed what description of land is included under this designation, whether really unassessed land or land already assessed but at present uncultivated.

7. *Cuddapah.*—In Cuddapah the collector proposes 5 rupees per acre, "whether cleared land or under brushwood." There is, he says, "an immense amount of unassessed waste land in the district, guessed at 15,00,000 acres;" but this includes "hills, jungles, salt barrens, and other uncultivable land," left unassessed at the survey because for the most part valueless. Mr. Wedderburn adds that the only unassessed waste which would be worth a purchaser's notice is the forest land, of which there is supposed to be 25,000 acres in Rajumpett talook; but this tract he considers should not be disposed of, as the future railway will run in close proximity to it. It is now in the hands of the Forest Department, who are working it on behalf of Government; and should be reserved, being valuable from its situation for supplying Madras with fuel, &c. Looking at what Mr. Wedderburn says of the saleable waste, and his declaration that more than half the land assessed at less than 8 annas per acre is waste, the Government prefer adopting the rates proposed by the Board.

8. *Kurnool.*—Mr. Banbury, while acting as collector of Kurnool, proposed the following rates:

Black cotton soil - - - -	20 rupees per acre.
Sandy clay - - - - -	10 „ „
Red soil - - - - -	5 „ „

or twenty times the lowest assessment of each kind; a deduction of 25 per cent. being allowed on land "thickly covered with trees or low jungle." Mr. Banbury remarks that these rates "may perhaps seem higher than has been anticipated, but the value of land in this district is now rapidly rising, and it would be necessary to put a fair value thereupon, in order to prevent the numerous proposals which will doubtless be made by the richer Ryots with a view of obtaining tracts useful only for pasturage, and then levying from their poorer fellow-villagers a tax for grazing in localities to which they have always hitherto had free access, thus engendering much local ill-feeling and animosity." The rules for the sale of waste admit of a sufficiency of pasturage being reserved; but Government can scarcely allow that extensive tracts should be kept as common in all time to come. A careful division of the land into moderate sized lots would enable all to bid for what they may require, a sufficiency being reserved for pasturage. Mr. Minchin, the collector of the district would reduce Mr. Banbury's rates by 50 per cent. on jungle and 25 per cent. on open land, "if the object be to encourage large sales;" but he states they are "a fair full value of the different classes of lands on the plains." For the Nullamalay hills (not specially noticed by Mr. Banbury) Mr. Minchin would fix 2½ rupees per acre.

9. The Kurnool district is now being regularly surveyed and assessed, and irrigation is being supplied to parts of it by the Irrigation Company. The Government must look to the assessment of the newly irrigated land to reimburse them for their expenses in supporting the Company and surveying and settling the district. Lands sold under the new rules therefore should only be such as will not come within the new settlement, or within the influence of the new irrigation works, and for such the rates of 10 and 5 rupees may be adopted; the former for black cotton and the latter for all other kinds; any further value in exceptional cases being expected from competition. These rates will accordingly be adopted.

10. The rate of the Nullamallays, with the exception of the tracts reserved by the conservancy, will be 5 rupees, as for other forest land.

11. *North Arcot.*—Mr. Fraser proposes rates ranging from 1 to 5 rupees per acre; but no real reasons are assigned. The Government prefer the Board's rates, which will accordingly be adopted.

12. *Trichinopoly.*—The whole of this district has been surveyed and assessed, excepting a tract of some 10,000 acres at the foot of the Pachamallay hills, covered with dense jungle. The collector proposes 10 rupees per acre or 20 years' purchase. The Government believe all this tract is very feverish, and they think that it might safely be rated at 5 rupees. This is accordingly sanctioned; open land, if there be any available, being put up at 2½ rupees per acre.

13. *Salem.*—Mr. Arbuthnott proposes 2½ rupees for all land in the low country, the unassessed waste being of the "poorest quality." This rate may be adopted for open land, and the higher one of 5 rupees applied in the case of forest land, if any such there be. On the Shervaroys Mr. Arbuthnott suggests two rates, viz., 8 rupees for superior jungle land, and 4 rupees for common grass land. The Shervaroys are, as to assessment, exactly in the same position as the Neilgherries, one uniform rate of 1 rupee per acre having been prescribed in 1859. In July last the Government* concurred with the Board that this is not the kind of assessment contemplated in the Supreme Government's Resolution. They have, however, lately ruled† in the case of the Neilgherries, that an uniform rate on the principle of an average is quite as much an assessment as a graduated series of rates, and this on full consideration they hold to be the correct view. There is no reason why the Shervaroys should be differently treated, except that the land being poorer the rate should be lower. The Government therefore direct that land on the Shervaroys be sold without any upset price,

* G. O. 1 July 1862, No. 1,433

† G. O. 6 December 1862, No. 2,554.

Price, but subject to an annual assessment of 1 rupee per acre, redeemable at the rate ordere by the Home Government, viz., 25 years' purchase.

14. *Madura.*—Mr. Levinge proposes 3½ rupees in the low country. For the sake of uniformity, the Government prefer the Board's rates. On the Pulnies Mr. Levinge suggests four rates, viz., 10 rupees for valuable jungle, 5 rupees for sholas and ordinary jungle, 2½ rupees for open grass, and 1 rupee for the poorest land. Mr. Levinge has been influenced to a certain extent by the favourable terms on which the Travancore Government grant coffee lands. Considering the position of the Pulney hills, their distance from the coast, limited extent, &c., the Government consider that the sale of lands on them on freehold tenure may with propriety be allowed, but they are of opinion that two rates will be sufficient for the present. The poorer land will not be sought till the superior is bought up, and a multiplicity of rates leads to frauds and disputes. The rates of 10 rupees for forest and 5 rupees for open land seem the best arrangement. These are accordingly sanctioned for adoption. The Government believe there is a fine site for a large reservoir on the Pulnies; this will of course be reserved, as well as Teak or other valuable forest.

15. *Tinnevelley.*—Mr. Silver recommends 12 rupees for hill lands where available. He has proposed no rate for lands in the plains. This omission he will be required to supply. Ten rupees will be fixed (as above ordered for Madura) for forest and 5 rupees for grass land on the Tinnevelly hill ranges.

16. *Madras.*—In Madras Mr. Cunliffe proposes 20 rupees for dry and 40 rupees for wet land; but nothing can be done in this district until the new Waste Lands' Act is published. No orders are therefore called for at present.

17. The districts for which no rates have been suggested are Godavery, Nellore, Kistna, South Arcot, and South Canara. The Board will be requested to expedite the submission of the reports of the collectors of these districts, and it will at the same time be intimated to them that the Government are particularly desirous that all further delay should be avoided.

(signed) *J. D. Sim,*
Secretary to Govenment.

Enclosure 15, in No. 56.

PROCEEDINGS of the Madras Government, Revenue Department, 28th February 1863.

LETTER from *P. Grant*, Esq., Collector of Coimbatore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 35); dated Ootacamund, 19 February 1863.

Sir,

* Dated 6 December 1862, No. 2,554.

1. With reference to the Proceedings* of Government, Revenue Department, communicated by the Board on the 11th December 1862, I beg to be informed, whether paragraph 5 of the Rules for the sale of Government lands on the Neilgherry hills, may not be temporarily modified. Two surveyors are, I believe, on their way to the hills; it is however of importance that the applicants for land should obtain possession of the same at an early date, as the felling season is passing away. Many of the lands applied for are in distant parts of the hills, and some time must necessarily elapse ere they are surveyed and demarcated.

2. Under these circumstances I request that I may be allowed to put up the lands to auction before they have been surveyed, on the understanding that the applicants have clearly demarcated them, and that on the completion of the regular survey, any excess land shall be paid for at the auction price, or resumed by Government, as may be deemed expedient.

3. This modification of the Rules will not be necessary after the present season. An early reply is requested.

ORDERED to be submitted for the decision of Government.

(signed) *W. Hudleston*, Secretary.

Enclosure 16, in No. 56.

(No. 433.)

ORDER thereon, 28th February 1863, No. 439.

1. With these proceedings the Board of Revenue submit a letter from the Collector of Coimbatore, in which that officer requests to be informed whether Clause V. of the Rules for the sale of lands on the Neilgherries, which enjoins that no lot shall be sold until or unless it has been previously surveyed and demarcated, may not be temporarily modified because

because it is of importance that the applicants for land should obtain possession of the sam at an early date, as the felling season is passing away. Mr. Grant adds that two surveyors are on their way to the hills, but that many of the lands applied for are in distant parts of the hills, and some time must necessarily elapse before they are surveyed and demarcated.

2. Competent surveyors are scarce in this Presidency, and the temporary character of the employment connected with the survey of waste lands, renders the few that are to be found unwilling to leave other service. The regular survey cannot be weakened by drafting its best men from their parties. Meanwhile, however, if a remedy is not promptly applied, the applicants will lose a whole season, a result very much to be deprecated. The emergency, it may be remarked, is only temporary, and will cease as soon as the large number of applications, received in the interval between the publication of the resolution of the Government of India and the issue of final orders on the subject, is disposed of.

3. Under these circumstances, the Government resolve temporarily to relax the rule alluded to at the outset, and until a sufficient number of competent surveyors are procured to survey lots without serious delay, but on the following conditions, viz.:—

I. The estimated cost of survey and boundary marks to be deposited beforehand.

II. The purchaser to bind himself by a written deed to conform to the rules, to pay any survey expenses incurred in excess of the deposit, and to abide by the decision of Government as to any excess which may be found in his lot on survey, whether that decision be the absolute resumption of the excess without any refund or reduction of survey deposit or purchase money, or whether it be the inclusion of the excess in the lot, a rateable addition being then made to the purchase money. On the other hand, if the area of the lot, as ascertained by survey, prove to be less than the estimated area declared at the time of sale, a rateable reduction will be made in the purchase money. When an assessment is payable on the land, its amount will, in all cases, be regulated by the extent of land made over to the purchaser.

III. No lot to be sold until good boundary marks are set up, and special care is to be taken by the collectors that, in fixing these boundary marks, no encroachment is made on lands belonging to private persons.

4. The order now given is in some measure contrary to the instructions of the Secretary of State. The Government of India, in their original resolution, provided for lands being sold previous to survey, but the Secretary of State (paragraph 11 of his despatch, 9th July 1862, enclosed) quoting the Bengal rule said, "I am of opinion that this provision should be modified. * * * If the land is unsurveyed, the first step will be to survey it." The Governor in Council is, however, of opinion that the precautions to be taken pursuant to this order, and especially the previous erection of boundary pillars, satisfy the requirements of the Secretary of State's depatch sufficiently to allow Government to sanction the course now ordered.

5. This order will apply only to the Districts of Coimbatore and Malabar, in which alone there will be difficulty at first in surveying the lands applied for without very great delay.

6. The Board of Revenue will, in communication with Mr. Dale, draw up and forward the necessary deeds to the collectors as soon as possible.

7. These proceedings will be reported to the Government of India and the Secretary of State with the other recent orders regarding the sale of waste lands.

(signed) *J. D. Sim*,
Secretary to Government.

— No. 57. —

Copy Revenue Despatch to the Government of Madras (No. 46); dated India Office, 8 August 1863.

Sir,

1. I have had under my consideration in Council, your letter of the 22d May last (No. 46), with which you forward copies of the general rules for the sale of unassessed waste lands within your Presidency; and also of special rules applicable to lands in the Neilgherry and Shervaroy hills, and the Wynaud talook of Malabar. These latter lands having been, by previous orders, subjected to a general average assessment, do not come within the scope of the rules promulgated regarding the sale of unassessed waste.

2. The rules appear to be in conformity with the instructions contained in my Despatch of the 9th July (No. 14) 1862, as adapted to the circumstances of your Presidency, India.

Presidency, and have my approval. The only provision which seems to call for remark is that portion of Rule XI, which declares that "If after survey, at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them." It appears to me to be the duty of the collector to ascertain, in the first instance, whether the lands applied for are saleable under the rules, and if they are found not to be so, to avoid the needless expense of a survey; and that it would be unfair to charge the applicant with expenses which have been incurred, not from his default, but from that of the officers of Government.

3. The rates of upset price for land in the different districts have been carefully considered, and will, I trust, be found suitable. You will, however, watch their operation, with the view of modifying them wherever it may be found to be necessary.

4. I trust that the application of the Neilgherry system, and rates to the Wynaud talook, will be a step towards getting rid of the objectionable plan of levying the assessment only on the cultivated area, which involves the necessity of periodical inspections of the lands. The terms on which grants have already been made must of course be respected, but the proprietors may perhaps be induced to accept fresh grants on the new conditions, by which they would be relieved from all interference on the part of the revenue officers.

5. I observe with satisfaction, that owing to your not having issued any rules framed under the Resolution of October 1861, and to your having instructed the collectors to do no more than register, and you have not had occasion to act on the authority conveyed in paragraph 76 of my Despatch before referred to.

I have, &c.
(signed) *C. Wood.*

— No. 58. —

REVENUE LETTER from Madras, dated 20th June, No. 55 of 1863.

Right Hon. Sir,

1. IN continuation of paragraph 10 of our letter, dated 22nd May 1863, No. 46, we have the honour to report that we have excepted lands in the Delta talooks of the Godavery district, from the operation of the new rules for the sale of unassessed waste, inasmuch as they are within the influence of the Anicut, and will rise greatly in value when the means of irrigation are extended to them. Elsewhere in this district 2½ rupees per acre has been adopted as the upset price. The same rate has been fixed for the Kistna district; water, if supplied from a Government source, forming a separate charge. The papers on the subject are enclosed.

Procs. of Govt. 4 May 1863, Nos. 12, 13.
Ditto - 7 May 1863, Nos. 55, 56.
Ditto - 21 May 1863, Nos. 255, 256.

2. We also forward the accompanying letter from the Board of Revenue with our Order thereon, dated 15th instant, No. 1,045, approving a proposal made by the Board, that the spirit of the new rules should be made applicable to assessed waste in the immediate vicinity of towns when sought for the special purpose of building thereon; the lot being limited to an area not exceeding four acres, and the upset price being 25 years' purchase of the assessment plus the cost of demarcation and survey.

Procs. of Govt. 15 June 1863, No. 1,045.

We, have, &c.
(signed) *W. T. Denison.*
J. H. Grant.
E. Maltby.
T. Pycroft.

Enclosure 1, in No. 58.

PROCEEDINGS of the Madras Government, Revenue Department, 4th May 1863.

LETTER from *A. Purvis*, Esq., Collector of Godavery, to *W. Hudleston*, Esq. Secretary to the Board of Revenue, Madras (No. 68); dated Ambajepetta, 31 March 1863.

Sir,

1. I have the honour to acknowledge the receipt of the proceedings of the Board of Revenue, under date the 13th December last, calling on me to report on the upset price at which the unassessed waste land at the disposal of Government in this district, should be put up for sale on parties applying for the same.

2. In the Delta talooks of this district, the unassessed waste is stated by the settlement officers in their reports, to amount to 69,455 acres. This is mainly land situated within the limits of a number of different villages near the coast, a considerable portion of which will be gradually rendered fit for cultivation, as the means of irrigating the same from the Anicut are extended. Whether under the views enunciated in paragraph 9 of the Order of Government of the 21st February last, such lands should be sold, may be a question.

3. In the upper talooks the unassessed waste is given on the same authority, at 104,962 acres. There is besides a very considerable extent of land forming the hill tract of Juddunghi, now included in the Peddapur talook, which has not been surveyed. There is also similar land in the Yernagudem talook. These tracts are, as the Board are aware, very unhealthy during several months in the year.

4. For the unassessed waste in the Delta talooks, I would, if it should be determined to sell such lands outright, fix the upset price at five rupees per acre. The water, if taken, to be of course paid for at the fixed rate per acre.

5. For the unassessed waste in the upper talooks, the rate recommended by the Board, viz. *Rs.* 2. 8. per acre, may well be adopted; and I would suggest the same rate for the tracts referred to in paragraph 3, should applications for any land in such localities be made.

6. With reference to the order of Government of the 24th September last, and the Board's proceedings of the 17th of the following month, I beg to state that any demarcation or detailed survey of waste lands, in anticipation of applications being made for purchase, does not appear to me to be necessary.

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1. Ordered to be submitted to Government for their decision.

2. The Board have ascertained from Mr. Master, that although too much of the unassessed waste in the Delta talooks, the remarks of Government regarding the Kurnool district in paragragh 9 of their proceedings, dated 21st February 1863, No. 375, are applicable, inasmuch as the extension of the Anicut channels may within a comparatively short period, render these lands highly desirable property; still, a considerable extent will remain to which there will be no objection to apply the rules for the sale of unassessed waste, in combination with the water rate, should irrigation be supplied from the Government works. The Board would therefore recommend that a discretion be left to the Collector to apply the rules to unassessed waste in the Delta talooks or not, according to the merits of each individual case.

3. As to the upset price, the Collector proposes 5 rupees per acre in the case of the Delta lands, and 2½ rupees in all other cases.

4. Considering that under the above limitation only the most inferior or most unfavourably situated lands in the Delta would be sold, and that the water rate would be charged for irrigation from the Government works, the Board see no sufficient reason for maintaining a distinction, which there seems nothing in the circumstances of the land concerned to justify; and they therefore recommend that in all cases alike, the upset price for these unassessed waste lands be fixed at 2½ rupees per acre in the Godavery district as in the Kistna.

5. The Board understand that there is no heavy jungle land included in these tracts, except possibly in the very unhealthy hill district.

(signed) *W. Hudleston*, Secretary.

Enclosure 2, in No. 58.

ORDER thereon, 4th May 1863, No. 759.

1. The Government are of opinion that it would be best that the land in the Delta talooks of the Godavery district referred to in paragraph 2 of the Collector's letter, should be excepted from the operation of the rules for the sale of unassessed waste.

2. Elsewhere in the district, 2½ rupees may be adopted as the upset price.

(signed) *J. D. Sim*, Secretary to Government.

Enclosure 3, in No. 58.

LETTER from *E. B. Foord*, Esq., Acting Collector of the Kistna District, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 47); dated Masulipatam, 6 March 1863.

26 September 1862, Miscellaneous Circular, No. 6,507.
17 October 1862, No. 6,940.
13 December 1862, No. 8,115.

1. WITH reference to the circular proceedings of the Board noted in the margin, relative to the sale of waste lands, I have the honour to report that in this district, nothing more has been done than registering applications.

2. As regards the upset price, it depends much upon the nature and quality of the soil. There are but few forests in this district, of large trees. The forests in the Masulipatam portion are in Zemindary estates. The Epi* and Chundra† forests in the Guntoor portion are on hills, which of course cannot be sold for agricultural purposes. There are some soapnut jungles in Government lands, and a mangrove jungle near the mouths of the Kistna. The sale of these lands will be very detrimental to the interests both of the Government and the public. I do not therefore advocate it.

*Hardurchia binata.
† Acacia Chundra.

3. I can see no objection to selling the so-called jungle lands, overgrown with thorny bushes, and shrubs, which are very extensive in the upland taluks. These lands are immemorial wastes, and to bring them under the plough requires a great deal of labour and expense for clearing them.

4. I would therefore fix the upset price of these lands at 2½ rupees per acre, as there is but little chance of people taking up these lands, except for pasturage. It will consequently be but a very poor investment of their capital.

5. The other waste lands unencumbered with jungle, both in the Delta and upland taluks, as well as the extensive swamps in the coast villages, are more easily cultivable. I would fix the minimum price of the former at 6 rupees per acre, and of the latter at 4 rupees, charging water rate every year, if Government water is taken for those lands.

6. These rates have been fixed with reference to the value of land in this district. The reason for my suggesting a reduced price for swamps is because they are comparatively less lucrative, as the land requires two or three years' soaking with sweet water to destroy the salt on the surface, and as these swamps generally require drainage, the landholder will have to dig channels for that purpose.

7. As regards lands required for building purposes, in towns and villages, I would fix the upset price at 15 rupees per acre in the former, and 10 rupees per acre in the latter. Under the existing rules, which require 20 years' assessment on these lands to be the upset price, people are availing themselves very little of the concession.

8. I have no doubt that every land, according to its position and usefulness, will fetch its proper price for Government in a fair competition, which it is the duty of the authorities to secure.

Board's Proceedings, 17 October 1862, No. 6,940.

9. I do not think it is desirable to demarcate and survey any waste lands in this district in anticipation. As the parties select them, the survey can be made by the establishment already entertained in this district. I cannot at present state what the cost per acre of such survey would be.

The Acting Collector will please to state whether the lands which he proposes to sell are unassessed waste. Much immemorial waste land bears a field assessment in the village registers.

(signed) *W. Hudleston*,
Secretary.

To E. B. Foord, Esq.
Acting Collector of the Kistna District.

Enclosure 4, in No. 58.

PROCEEDINGS of the Madras Government, Revenue Department, 7th May 1863.

Read again, letter from the Acting Collector of Kistna, dated 6th March 1863.

Read also the following letter from the same officer, dated 21st March 1863, No. 60.

1. WITH reference to the proceedings of the Board, dated 13th instant, I have the honour to report, that I propose to sell unassessed waste lands only, at the rates mentioned in my letter of the 6th instant.

2. Under

2. Under the lowest class, rupees 2½ per acre, come the brushwood jungles in the upland talooks. In the Masulipatam portion of this district, where joint rents are in force, the villagers take a large extent of jungle land, for the pasturage of the village cattle, at a very low rate of cist. As these lands, however, do not bear a field assessment, I would include them in the unassessed waste.

3. The swampy lands in the coast villages proposed to be sold at 4 rupees per acre, have never been assessed, and the highest rate of 6 rupees per acre is intended for cultivable Porumbokes, unencumbered with jungle, in the villages in the interior.

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1. Ordered that the above papers be submitted for the decision of Government.

2. The Acting Collector proposes three rates for the upset price of unassessed waste, viz., rupees 2½ per acre for scrub jungle lands in the upland talooks, rupees 4 per acre for the swamps in the coast villages, and rupees 6 for other waste lands unencumbered with jungle, both in the Delta and upland talooks, the annual water rate being chargeable if Government water is taken for the cultivation.

3. The scrub jungles, which are very extensive, require much labour and expense to clear them, and are likely to be taken up only for pasturage.

4. The swamps must be drained at considerable expense, and need to be saturated with fresh water for two or three years to get rid of the salt in the surface soil.

5. The open wastes not included in the foregoing can be more cheaply brought under cultivation.

6. It appears to the Board that the two last classes of land possess no superiority or advantage whatever over the quality of waste land, which elsewhere will be sold under the rules at 2½ rupees per acre, and they would, therefore, recommend that this rate be adopted throughout the district as the upset price for unassessed waste, trusting to competition to adjust minor inequalities.

7. There are no heavy jungle lands available for sale in the district. The reserves recommended by the Acting Collector will, of course, be maintained.

8. As regards building sites, the Board infer, from paragraph 7 of the Acting Collector's letter, dated 6th March 1863, that the lands to which he refers are assessed; and if so, they will not come under the operations of the rules for the sale of unassessed land.

9. If, however, the lands in question are unassessed, the Board see no reason for treating them differently as regards the upset price from other similar waste sought for cultivation.

10. Their position will ensure greater competition and higher resulting prices.

(signed) *W. Hudleston*, Secretary.

Enclosure 5, in No. 58.

Order thereon, 7th May 1863, No. 780.

The Government concur with the Board, that 2½ rupees per acre would be a suitable minimum price. Water, if supplied from a Government source, will of course form a separate charge. The "Epi" and "Chundra" forests, as well as the soap nut and mangrove jungles, mentioned by the collector, will of course be reserved.

(signed) *J. D. Sim*,
Secretary to Government.

Enclosure 6, in No. 58.

(No. 91.)

From *A. Purvis*, Esq., Collector of the Godavery District, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras.

Godavery District, Collector's Office, Cocanada,
30 April 1863.

Sir,

I have the honour to inform you that Mr. W. Gibson, at Cocanada, has applied to me to be allowed to purchase a piece of land situated in the vicinity of Cocanada for building purposes. The above land is 1 acre 25 cents in extent. It has never been assessed, being a sand ridge near the sea, and unfit for cultivation. I propose to fix on it an annual quit-rent of *Rs.* 1. 4. at the rate of one rupee per acre, and request the Board will be pleased to

grant sanction for putting up the land in question to auction under clause first, paragraph four, of the proceedings of the Madras Government, dated 5 August 1859, No. 1053, fixing the upset price of *Rs.* 31. 4., or 25 times the amount of the proposed quit-rent. The ground has at present a small bungalow on it, lately purchased by Mr. Gibson.

2. The district engineer informs me that the land in question is not required for public purposes.

I have, &c.
(signed) *A. Purvis*, Collector.

Enclosure 7, in No. 58.

(No. 95.)

From *A. Purvis*, Esq., Collector, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras.

Godavery District, Collector's Office, Cocanada,
2 May 1863

Sir,

I HAVE the honour to inform you that as Mrs. Beenlen, at Jagarnaikpuram has applied to me to be allowed to purchase a small piece of land situated close to her house at Jagarnaikpuram for building purposes. The above land is 15 cents in extent. It has never been assessed, being waste and unfit for cultivation; I propose to fix on it an annual quit-rent of 5 annas, at the rate of 2 rupees per acre, the assessment fixed on similar land in the vicinity, and request the Board will be pleased to grant sanction for putting up the land in question to auction under clause first, paragraph 4, of the proceedings of the Madras Government, dated 5 August 1859, No. 1053, fixing the upset price at *Rs.* 7. 13, or 25 times the amount of the proposed quit-rent.

2. There is no probability of the land ever being required for public purposes, and there is no objection to disposing of it as proposed.

I have, &c.
(signed) *A. Purvis*, Collector.

PROCEEDINGS of the Madras Government, Revenue Department, 21 May 1863.

READ the following letters from the Collector of the Godavery District, dated 30 April and 2 May 1863, Nos. 91 and 95, stating that Mr. W. Gibson and Mrs. Beenlen have applied for permission to purchase lands at Cocanada and Juggernaickpuram, and requesting sanction for putting them up to auction at the upset price.

(In Consultations 8 and 11 May 1863, Nos. 2,797 and 2,851.)

Ordered to be submitted for the sanction of Government under the old rules, as the new rules for the sale of unassessed waste are not to operate in the Delta.

(signed) *W. Hudleston*, Secretary.

Enclosure 8, in No. 58.

ORDER thereon, 21 May 1863, No. 881.

1. THE Order of 4 May 1863, No. 759, does not preclude Government from selling and in the Delta talooks under the new rules in those instances in which they think fit to do so.

2. The lands applied for are building sites, and the reasons which led Government to except the Delta talooks from the operation of the new rules do not apply to them. They will accordingly be sold under those rules at the upset prices proposed by the Collector.

3. The rules of 1859 are no longer in force, except of course as regards lands now held under them.

(signed) *J. D. Sim*, Secretary to Government.

Enclosure 9, in No. 58.

PROCEEDINGS of the Madras Government, Revenue Department, 15th June 1863.

LETTER from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department, Fort Saint George; dated Chepauk, 4th June 1863.

Sir,

1. Referring to Government Order dated 21st May 1863, No. 881, Revenue Department, paragraph 3, I am directed by the Board to point out that the new rules for the sale of waste, do not provide for the case of assessed waste lands sought for building sites, which, under the rules of 1859, were to be sold at public auction, the upset price being 20 years' purchase of the assessment.

2. As the rules of 1859 are declared by Government to be no longer in force, the Board recommend that the spirit of the new rules be made applicable to such assessed waste in the immediate vicinity of the towns, when sought for the special purpose of building thereon the lot being limited to an area not exceeding four acres, and the upset price being 25 years' purchase of the assessment, plus the cost of demarcation and survey.

3. As the Sudder Court have decided that abandonment of assessment and non-payment of the assessment place such land at the disposal of the revenue authorities, it will not be necessary to maintain to the full extent of their letter, the rules and laws relating to unassessed waste land, and which involve considerable delay.

ORDER thereon, 15th June 1863, No. 1045.

THE proposals made by the Board of Revenue in paragraphs 1 and 2 of this letter are approved.

(signed) *J. D. Sim*, Secretary to Government.

— No. 59. —

REVENUE LETTER from Madras, dated 17 July, No. 74 of 1863.

Right Hon. Sir,

IN continuation of our Despatches 22d May, No. 46, paragraph 10, and 20th June 1863, No. 55, paragraph 1, we have the honour to forward the accompanying papers, and to report for your information, that we have fixed the following upset auction prices for unassessed waste land in the districts named below:—

Procs. of Govt. 4 July 1863, Nos. 68, 69.
Ditto - 4 July 1863, Nos. 90, 91.
Ditto - 8 July 1863, Nos. 173, 174.
Ditto - 13 July 1863, Nos. 240, 241.

	Forest Land.	Open Land.
Vizagapatam - - - -	5 Rupees an Acre -	5 Rupees an Acre.
South Canary hill ranges -	10 „ „ - -	5 „ „
Ditto - - plains - -	5 „ „ - -	2½ „ „
Nellore - - - - -	5 „ „ - -	2½ „ „
South Arcot - - - -	5 „ „ - -	2½ „ „

We have, &c.
(signed) *E. Maltby*,
T. Pycroft.

Enclosure 1, in No. 59.

PROCEEDINGS of the Madras Government, Revenue Department, 4th July 1863.

LETTER from *D. F. Carmichael*, Esq, Acting Collector of Vizagapatam, to *W. Hudleston*, Esq, Secretary to the Board of Revenue, Fort Saint George (No. 74); dated Vizagapatam, 11 March 1863.

Sir,

IN reply to the Board's proceedings, dated 26th February 1863, No. 1197, paragraph 1, I have the honour to state, for the information of Government, that the rate proposed by me for cleared land, is for unassessed land and not for "assessed waste."

Submitted to Government with reference to paragraph 6 of Government Order, dated 21st February 1863, No. 375, Revenue Department.

(signed) *W. Hudleston*, Secretary.

ORDER thereon, 4th July 1863, No. 1,184.

No. 69.

THE Government think that 5 rupees per acre, the ganjam rate for cleared land, being unassessed waste, may safely be adopted in Vizagapatam.

(signed) *J. D. Sim*, Secretary to Government.

Enclosure 2, in No. 59.

PROCEEDINGS of the Madras Government, Revenue Department, 4 July 1863.

LETTER from *A. P. Hodgson*, Esq., Acting Collector of South Canara, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 40); dated Cundapoor, 23 March 1863.

Sir,

1. IN reply to the Board's Miscellaneous Circular, dated 26 September 1862, No. 6,507, I have the honour to furnish the information called for in paragraphs 3 and 4 of the Order of Government, dated 24th idem, No. 2,080. I beg to state that only two applications for waste lands, in view to their purchase, have been received, and these were made after the 9th of July last, the date of the despatch from the Secretary of State, one by a Mr. Grant, of Mercara, for forest land on the ghâts in the neighbourhood of Subramannya, in the Uppinangadi talook, which however has not been followed up; the other by Captain Taylor, Superintendent of Coorg, for a tract of land in the same talook, of about 300 acres; but under the prohibition contained in the notification of the Government of India, dated 16 January 1863, I doubt whether the latter gentleman may be permitted to hold land in this district. No arrangements were made for the redemption of land revenue under the resolution of the Government of India of October last.

1st Class land, 8 rupees per acre.
2d Class land, 5 rupees per acre.
3d Class land, 2½ rupees per acre.

2. The minimum upset prices, which it appears to me are suited to the circumstances of the various descriptions of lands that are at the disposal of Government in this District, are specified in the margin.

3. The first mentioned class comprises those lands for which a supply of water sufficient to bring two rice crops to maturity is obtainable. The second, those on which one crop of rice can be cultivated merely by means of the falling rain. The third, those which are to be found on the low hills that abound in this district, and which are generally useful for pasturage only, but on which also, where the surface is moderately level, dry grain crops can be raised.

4. There is a very large area of forest land in the district, principally on and at the foot of the slopes of the mountain range to the east, and the clusters of hills in the south, but extending in some localities far into the interior. The heavy forests, and those which contain valuable trees, should be reserved for the operations of the Forest Department, as timber is becoming scarce. The high lands will, there is every reason to believe, be in great request at no remote period of time, judging from the increasing demand for land in the Munjerabad and Coorg Divisions, and the great difficulty which is even now experienced in procuring such as is suitable for coffee cultivation. I therefore suggest, should the Government consider the sale of lands on the hills on freehold tenure may be allowed, that 8 rupees and 4 rupees per acre be fixed as the rates for forest and open land respectively.

5. There is no apparent disposition on the part of the people in this district to purchase unassessed waste land. Durkhasts for lands to be held on Puttah are as numerous as ever, and

and there is frequently great competition for them, even as many as four and five persons applying for one piece, and thereby making it difficult to decide to whom it shall be granted. When this is the case, I propose that the land applied for be put up to auction at the upset price of its class, and sold to the highest bidder, free of assessment.

6. I beg to append a tabular statement giving certain information in regard to cultivated land in this district, as also one showing the number of durkhasts for waste lands registered and disposed of during the three previous Faslis.

(Enclosure No. 1.)

STATEMENT showing the Rate of ASSESSMENT on cultivated lands in SOUTH CANARA.

Description of Land.	Whether on the Coast or Inland.	Assessment per Acre.
		Rs. a. p.
Byle, first sort	Coast	6 – –
	Inland	4 – –
Majal, second sort	Coast	4 – –
	Inland	3 – –
Bettu, third sort	Coast	2 – –
	Inland	1 – –
Huckle	Both Coast and Inland	– 8 –
Grass land	ditto ditto	– 4 –
Garden, first sort	ditto ditto	12 – –
Garden, second sort	ditto ditto	8 – –

(signed) *A. P. Hodgson,*
Acting Collector.

Cundapoor, 23 March 1863.

(Enclosure No. 2.)

ABSTRACT.—MEMORANDUM showing the number of Durkhasts for Waste Lands, filed and disposed of in South Canara District, during Faslis 1269, 1270, and 1271.

1. Ordered to be submitted for the decision of Government in continuation of the Board's Proceedings, dated 26 January and 13 March 1863, Nos. 512 and 1,514 in Government Proceedings, dated 21 February and 18 March 1863, Nos. 375 and 541, Revenue Department.

2. Mr. Hodgson proposes an upset price of 8 and 4 rupees per acre for forest and open land respectively, on the hills in his district. In other localities he proposes 8 rupees, 5 rupees, and 2½ rupees per acre, according to the quality and circumstances of the land in each case. All valuable forest is to be reserved for the operations of the Conservancy Department.

3. The Board approve the proposed rate for lands on the Ghâts, but in the other localities they see no reason to adopt the higher upset price of 8 rupees for the best class of available waste.

4. If the land really possesses superior advantages, these will doubtless have their due effect in inducing competition at the sale.

5. The Board would adopt 5 rupees, and 2½ rupees here as elsewhere for the upset prices.

6. The Board approve the proposal in paragraph 5 on the understanding that it is intended to apply to lands not bearing a registered assessment.

7. The point regarding Captain Taylor's application will be left for the decision of Government.

(signed) *W. Hudleston,* Secretary.

Enclosure 3, in No. 59.

ORDER thereon, 4 July 1863, No. 1,195.

1. THE Government consider the rates fixed for hill lands in Madura and Tinnevelly, viz., 10 rupees per acre for forest and 5 rupees per acre for open land, would be more appropriate for the South Canara hills than those proposed by the acting collector. The former are therefore sanctioned. Such lands will be sold free of assessment, but great care must be taken to reserve tracts of valuable timber, as ordered by the Home Government.

2. In the plains 5 rupees, and 2½ rupees for forest and open land, being unassessed waste, are sanctioned.

3. In the cases mentioned in paragraph 5, where several persons apply for the same plot of land, and none have any preferential right or claim to it, there can be no objection to the land being sold by auction subject to assessment, whether it be already assessed or not, if the parties desire it, but assessed land cannot be sold in freehold. There is no necessity to compel persons to buy unassessed land solely on freehold tenure, if they consider it more to their interests to hold it subject to assessment. The experience of the Inám Commission shows that the mass of the people do not yet appreciate freehold tenure, and it is impolitic to endeavour to force it on them.

4. As to Captain Taylor's application, the Government apprehend that the orders of the Home Government bar him from holding land in a Madras district, but the question is one which they think it safest to refer to the Supreme Government, and this will accordingly be done.

(signed) *J. D. Sim*,
Secretary to Government.

Enclosure 4, in No. 59.

From *J. W. B. Dykes*, Esq., Collector of Nellore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 126); dated 27 April 1863.

No. 1197, dated 26 February 1863.

1. I have the honour, with reference to the proceedings noted marginally, to state that 10 rupees may be fixed as the upset price in the coast taluks, 5 rupees in the inland.

2. I, at the same time, beg to record my opinion that no measure could be more injurious to the country than the sale of the right of Government to collect a moderate and fixed assessment.

Enclosure 5, in No. 59.

From the same Officer, dated 28 April 1863, No. 127.

WITH reference to the Board's Miscellaneous Circular, No. 6,507, of 1862, dated 20th September 1862, communicating proceedings of Government, dated 24th idem, Revenue Department, No. 2,080, and requesting information on certain points regarding the purchase of waste lands, I have the honour to state,—

1st. That no arrangements have been completed in this district, for the purchase of waste lands; and

2dly. That 10 rupees on the coast, and 5 rupees in the inland taluks, is the minimum price I would fix.

1. The Collector will please to report the nature of the lands to which he would apply the rates he proposes, and whether they would, in ordinary course, be included in the operations of the Director of Revenue Settlement.

2. The delay in replying to the Board's Circular Order has been excessive, and without any sufficient cause.

(signed) *W. Hudleston*,
To J. W. B. Dykes, Esq., Collector of Nellore. Secretary.

Enclosure 6, in No. 59.

LETTER from *J. W. B. Dykes*, Esq., Collector of Nellore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 123); dated 28 April 1863.

WITH reference to the Proceedings of the Board of Revenue, under date the 17th October 1862, No. 6,940, communicating an order of Government regarding the survey of waste lands in districts where a demand for waste lands is likely to arise, and requesting the collectors

lectors to report what they consider should be the standard area of allotments of waste lands, and what the cost per acre would be of such survey as the Government contemplate. I have the honour to state that the survey now in hand will meet our requirements in this respect, and it is not therefore necessary for me to make any estimate of cost.

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1. The Board observe that the collector has taken six months to reply to a most simple question.

2. Such neglect is inexcusable.

3. Mr. Dykes will please to explain how the survey will meet the requirements of applicants for unassessed waste, especially in the event of such being received after the field work of the Revenue Survey in Nellore shall have been completed.

(signed) *W. Hudleston*, Secretary.

To J. W. B. Dykes, Esq., Collector of Nellore.

Enclosure 7, in No. 59.

PROCEEDINGS of the Madras Government, Revenue Department, 8 July 1863.

From *J. W. B. Dykes*, Esq., Collector of Nellore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras (No. 138); dated Nellore, 9 May 1863.

Sir,

1. I HAVE the honour to acknowledge the receipt of the Board's proceedings of the 6th instant, requesting me to report the nature of the lands to which I would apply the rates for waste in this district proposed by me, and state that the nature of the lands will vary, with reference to locality, and all will be included in the operations of the Director of Revenue settlement.

2. In the western talooks, the land will generally be under scrub jungle; in the eastern it will probably be open land.

3. In respect to the Revenue Settlement, it would perhaps be more correct to say, that the lands will come under the operation of the Survey Department, as they will be surveyed in blocks and recognised by the Settlement Department, but not assessed.

Enclosure 8, in No. 59.

From *J. W. B. Dykes*, Esq., Collector of Nellore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras (No. 139); dated Nellore, 9 May 1863.

Sir,

1. I HAVE the honour to acknowledge the receipt of the Board's proceedings of the 6th instant, remarking on the delay in replying to the Board's Circular of the 17th October 1862, No. 6940, and requesting to know how the survey will meet the requirements of applicants for unassessed waste, and in reply to state that the land will all be shown in the maps, and the unassessed waste in blocks ready for sale.

2. The subdivision of blocks to meet the requirements of purchasers, can be made by the local authorities, or else by special agency obtained for the purpose and paid for by the job. I do not think it would be of any use to entertain a special establishment, or if entertained, and there were applications that such special establishments would meet the requirements of the case in a district 160 miles long and 50 broad, there would be more travelling than measuring.

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1. ORDERED that the above papers be submitted to Government, with reference to their orders, dated 24th and 25th September 1862, Nos. 2080 and 2087, relating to the system of sale of unassessed waste land, and also to their proceedings, dated 21st February 1863, No. 375, fixing the upset price for several districts.

2. Mr. Dykes proposes, in Nellore, 10 rupees per acre as the minimum price on the coast, and 5 rupees in the inland talooks. In the former case the land will generally be open, and in the latter will probably be scrub jungle.

3. The Board see no reason for fixing a higher price in Nellore than elsewhere. The rate will only apply to those lands which from the apparently extreme improbability of their being brought under cultivation, or occupied for grazing, &c., will be left unassessed by the Settlement Department, and for such cases it appears to the Board, that the general rate adopted elsewhere of 5 rupees per acre, for forest land, and 2½ rupees for other unassessed waste, will fully meet the Government requirements.

4. The Government are, of course, aware that while the whole area of every village will be surveyed by the professional department, the detailed survey in fields will not be carried beyond the land, that there is reason to believe may be occupied within a period not too remote to exclude it from consideration for practical purposes. The remainder of the waste will be surveyed in large blocks, according as the contour of the ground, or its natural features may facilitate its subdivision, and these blocks will not be classified or assessed.

5. It is to these that the above proposal will apply.

6. There is no need at present of any special survey establishment in Nellore.

(signed) *W. Hudleston,* Secretary.

Order thereon, 8 July 1863, No. 1237.

The Government concur with the Board, that 5 rupees for forest and 2½ for cleared land per acre, are appropriate rates for the Nellore district, the sales being limited to the lands mentioned in paragraph 4 of the Board's proceedings.

(signed) *J. D. Sim,*
Secretary to Government.

Enclosure 9, in No. 59.

Proceedings of the Madras Government, Revenue Department, 13 July 1863.

Letter from *C. W. Reade,* Esq., Collector of South Arcot, to *W. Hudleston,* Esq., Secretary to the Board of Revenue, Madras (No. 146); dated Cuddalore, 8 June 1863.

Sir,

1. I have the honour to acknowledge the proceedings of the Board, No. 2823 of the 12th ultimo, held on review of my letter to the Board, dated 22d April last, on the subject of unassessed waste lands in this district.

2. The Board request me to reconsider the subject, and they express the opinion that the facts stated by me do not warrant my assertion that, strictly speaking, there are no unassessed waste lands in South Arcot.

3. When originally giving my attention to the subject of the unassessed waste lands in the district, I necessarily consulted with the sheristadar and other officers of experience, and, for the reasons already recorded, I came to the conclusion with them that "strictly speaking there were no unassessed waste lands." The entire correspondence on the subject was laid before me, and the orders of the Revenue Board in their letter of the 4th June 1855, fixing the classification and assessment of all waste lands, appeared to me finally to dispose of the question, and to exclude those lands from the category of unassessed waste, and therefore from the operations of the newly promulgated rules.

4. The various dates of the correspondence and of the Board's proceedings are quoted in paragraph 1 of my former letter, and I have nothing to add in explanation of why I was ultimately led to adopt the opinion therein expressed.

5. Of course if I am mistaken in viewing the Board's instructions contained in their letter of the 4th June 1855, No. 1384, as bringing all waste lands of the district within the category of classified and assessed, such lands as are now available for appropriation under the new rules, and the particulars of the information called for under the orders of Government by the Board's Circular Nos. 6507 and 6940, dated 26th September and 17th October 1862, respectively, will at once be prepared and furnished.

6. Out of the original 7 lacs cawnies of Perumboke there yet remain, as stated in paragraph 3 of my former letter, 577,649 cawnies for disposal, minus such portions as are in actual occupancy by temples and tanks, or which are incorporated with rivers and streams, and thus unfit for cultivation. The reclaimed Perumboke, since the orders of the 4th June 1855, consists of scattered spots and tracts amounting to 95,351 cawnies with unreclaimed patches intervening, the latter varying in extent of from 2 to 20 cawnies. It is a question how such patches are to be dealt with, whether on the principle of the classification and assessment of the surrounding lands disposed of under the Board's orders as above, or whether at the option of the applicants under the new rules. I presume, under the view expressed by Government and the Board, that these patches must be included in the total of the unassessed waste lands declared available to the public, and for which the accounts will now at once be prepared.

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1. Ordered to be submitted to Government in continuation of the Board's proceedings dated 12 May 1863, No. 2823.

2. The

2. The Board's orders of 4 June 1855, to which Mr. Reade alludes, instructed the collector when assessing newly reclaimed Perumboke lands, to classify and assess them with reference to quality, &c., so as to place them on an equality with other lands of a similar description in the village, rather than to take the average of the village rates as had hitherto been the practice.

3. The Board see nothing in this order to preclude the application of the new rules for the grant of unassessed waste in freehold, if land should be sought on these terms. The rules expressly state that the grant of lands on ordinary Durkhast, subject to assessment, is not precluded by them, and in such cases the Board's order of 1855 would apply.

(signed) *W. Hudleston*, Secretary.

(No. 241.)

ORDER thereon, 13 July 1863, No. 1271.

THE Government concur with the Board that the rule referred to in paragraph 3 of their proceedings does not preclude the sale of land still unoccupied and unassessed under the new rules. These lands will accordingly be declared saleable, the prices being 5 and 2½ rupees per acre for forest and cleared land respectively.

(signed) *J. D. Sim*,
Secretary to Government.

— No. 60. —

COPY REVENUE DESPATCH to the Government of Madras (No. 60); dated India Office, 8 October 1863.

Sir,

1. I HAVE had under my consideration in Council, your letters dated the 20th June (No. 55), and 17th July last (No. 74), informing me of the upset prices which you have fixed for unassessed waste land in the Godavery and Kistna districts, and in those of Vizagapatam, South Canara, South Arcot, and Nellore.

2. The prices appear to have been well considered, and the rule which provides for a sale by auction in all cases, will doubtless insure your obtaining a proper value for the land.

3. I observe that care has been taken to reserve, for the use of the State, any tracts of valuable forest which are known to exist in these districts.

4. I approve of your having excepted from the operation of the new rules, those lands in the Delta talooks of the Godavery district, which are within the influence of the Annicut, as they will rise greatly in value when the means of irrigation shall have been extended to them.

I have, &c.
(signed) *C. Wood.*

—No. 61.—

REVENUE LETTER from Madras, dated 3 July, No. 65 of 1863.

Right Honourable Sir,

1. WITH reference to paragraph 2 of your Despatch, dated 16th August 1861, No. 55, we have the honour to report that Mr. Campbell has declined to take land in the Annamallays on the usual terms, and that he is not now inclined to invest capital there at all.

Procs. 8 February 1861, Nos. 96, 97
„ 24 June - „ „ 350, 351.
„ 2 July - „ „ 1160.

2. Another individual, Mr. Lennon, is desirous of obtaining land in the same place, and any application he may make will be disposed of under the ordinary rules which have been lately published. We do not deem it advisable to make any exception in Mr. Lennon's favour. We shall shortly send you a report which we have just received from the Assistant Conservator of Forests on these hills, and which, we believe, will convince you that no special encouragement is necessary for their clearance for coffee planting. At present, of course, planters prefer the

Neilgherries and Wynad, which are better known, but we have little doubt that when the available land on them is occupied, attention will be turned to the Annamallays. The Carnatic Coffee Company have applied for 3,000 acres on the latter.

3. Under the new rules, land on the Annamallays will be sold freehold by auction at an upset price of 5 rupees for forest, and 2½ rupees for open land per acre, besides the cost of survey and demarcation. These rates respectively represent an annual assessment at 25 years' purchase of less than 4 and 2 annas per acre, which seems to us extremely light.

4. We have no reason to suppose that Mr. Lennon is a capitalist.

We have, &c.,
(signed) *E. Maltby.*
T. Pycroft.

Enclosure 1, in No. 61.

From Mr. *E. R. Lennon* to *E. B. Thomas*, Esq., Collector of Coimbatore.

Sir, Annamalay, 4 December 1860.

Being desirous to cultivate coffee in the Poonachy range, a mile, more or less, to the south-west of the Poonachy waterfall, I beg respectfully to tender this application for 50 acres of land for the present, and when the same has been cultivated, that I may be allowed to apply for a further quantity.

I beg to mention that the land now applied for, lies adjacent to that of Mr. Campbell.

I also request you will be good enough to inform me of your intentions as to the grant of this land as early as practicable, so as to enable me to commence operations at once in clearing the same, this being the best time of the year for such operations.

I also beg to inform you that Dr. Cleghan had no objections, in a personal conversation, to my applying for the lands now alluded to.

I am, &c.
(signed) *E. R. Lennon.*

Enclosure 2, in No. 61.

Proceedings of the Madras Government, Revenue Department, 8 February 1861.

Letter from *E. B. Thomas*, Esq., Collector of Coimbatore, to *W. Hudleston*, Esq., Acting Secretary to the Board of Revenue, Fort Saint George (No. 238); dated Camp, Perindoray, 21 December 1860.

Sir,

1. I have the honour to forward copy of a letter from Mr. E. R. Lennon,* dated 4th instant, applying for 50 acres of land for coffee cultivation, and to request the Board of Revenue will be good enough to obtain the sanction of Government to put up the same to public auction, in the same manner as coffee lands are sold on the Neilgherries, and now ordered for Mr. Campbell.

* An overseer in the Forest Department.

2. The land in question is adjacent to that applied for by Mr. Campbell, and as Dr. Cleghorn expressed no objection to Mr. Lennon applying for it, I beg to recommend that it be granted on the same terms as those recommended in the case of Mr. Campbell, viz., free of assessment for four years, and afterwards to pay one rupee per acre:—*vide* my letter to Board, dated 8th November 1860, No. 210, and their proceedings of the 7th instant, No. 5733.

Ordered to be submitted to Government, with the Board's recommendation that the sale of the land on the terms proposed be authorised.

(signed) *W. Hudleston*, Acting Secretary.

Order thereon, 8 February 1861, No. 305.

1. The Government authorise the sale of the land in question, on the Annamalai Hills, on the terms fixed by the rules approved in the Order of April 4th 1861, No. 517. This has

has been done* also in the case of Mr. Campbell's application for land in the same locality, to which the Board refer in their present proceedings.

* 30th January 1861. No. 238.

2. The Government request the Board of Revenue to regard such rules when once deliberately established as indicating the course to be followed in all but very exceptional cases.

(signed) *J. D. Bourdillon,*
Secretary to Government.

Enclosure 3, in No. 61.

PROCEEDINGS of the Madras Government, Revenue Department, 24 June 1862.

LETTER from *E. B. Thomas,* Esq., Collector of Coimbatore, to *W. Hudleston,* Esq., Secretary to the Board of Revenue, Chepauk (No. 227); dated Ootacamund, 2 November 1861.

Sir,

WITH reference to my letter of the 21st December 1860, No. 238, and Government Order thereon, dated 8th February 1861, No. 305, I beg to enclose a letter from Mr. Campbell, and to report that both Mr. Campbell and Mr. Lennon, decline to take land in the Anamalays on any terms less than those recommended in my letter, viz., five years free; indeed Mr. Campbell is not now inclined to invest capital there at all, from the difficulty of labour and the unhealthy nature of the locality, and without roads or ghaut. Mr. Lennon also withdraws unless with five years' cowle. As it is very advisable to open up these hills, and encourage pioneers in the attempt, I would once more recommend that a cowle be sanctioned to Mr. Lennon, or no attempt is likely to be made. It is clearly an exceptional case.

With Government Order, 28th September 1861, No. 1881, and Board's No. 5325.

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1. ORDERED to be submitted to Government, with reference to their proceedings in the Revenue Department, Nos. 238, 305, and 1881, dated respectively, 30th January, 8th February, and 28th September 1861.

In Cons. 31st January, 9th February, and 30th September 1861, Nos. 636, 832, and 6206.

2. The Board presume that this land might now come under the new rules issued by the Governor General.

(signed) *W. Hudleston,* Secretary.

ORDER thereon, 24 June 1862, No. 1383.

THE land in question may be disposed of under the new rules, if the reference recently made by this Government to the Government of India on the subject does not lead to their being modified. The result of that reference must be awaited.

(signed) *J. D. Sim,*
Secretary to Government.

Enclosure 4, in No. 61.

To *E. B. Thomas,* Esq., Collector, Coimbatore.

Sir Ootacamund, 21 October 1861.

IN reply to the communication from the Government relating to my request for a grant of land, estimated at from 600 to 1,000 acres, situated on the Anamallai Hills, I beg to state that I am not willing to conclude any agreement based on the terms laid down by Government.

I have, &c.
(signed) *A. C. Campbell.*

Enclosure 5, in No. 61.

PROCEEDINGS of the Madras Government, Revenue Department, 2 July 1863.

LETTER from *P. Grant*, Esq., Collector of Coimbatore, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department, Fort St. George (No. 49); dated Coimbatore, 19 June 1863.

Sir,

1. IN reply to your Official Memorandum of 13th ultimo, No. 106, I beg to report that Mr. Lennon, the individual alluded to in Mr. Thomas's letter, No. 227, of 2d November, and recorded in the Board's proceedings of 2d December 1861, No. 6647, is still desirous of obtaining land on the Annamallays, as will appear from the accompanying copy of his letter. He is not the person who was lately promoted to the post of Sub-Assistant Conservator in Kurnool, but his brother.

2. Any application for land by Mr. Lennon will be dealt with under the rules lately issued for the sale of unassessed waste lands in this Presidency.

From Mr. *E. R. Lennon*, to *P. Grant*, Esq., Collector of Coimbatore; dated Coimbatore, 15 June 1863.

Sir,

1. IN reply to your Memorandum, No. 32, dated 12th June 1863, I beg to inform you that I am still desirous of obtaining the land alluded to, and am anxious to know on what terms I am to obtain it.

2. Mr. J. J. Lennon is a brother.

(signed) *P. Grant*, Collector.

ORDER thereon, 2 July 1863, No. 1160.

1. THE Government see no reason to make any exception in favour of Mr. Lennon.

2. This subject will be reported to the Secretary of State, with reference to paragraph 2 of his Despatch, dated 16th August 1861, No. 55.

(signed) *J. D. Sim*,
Secretary to Government.

— No. 62. —

COPY REVENUE DESPATCH to the Government of Madras (No. 57); dated India Office, 30 September 1863.

Sir,

I HAVE had under my consideration in Council your letter of the 3d July last (No. 65), in which you inform me that, in your opinion, no special encouragement is necessary to induce intending settlers to apply for grants of land in the Annamally Hills for the purpose of coffee cultivation.

2. I agree with your Excellency in thinking that it is undesirable to permit any exceptions to the ordinary rules for the grant of lands, unless a clear case of expediency is established.

I have, &c.
(signed) *C. Wood.*

— No. 63. —

REVENUE LETTER from Madras, dated 9 September, No. 96 of 1863.

Right Honourable Sir,

WITH reference to paragraph 19 of our Despatch, 22d May 1863, No. 46, we have the honour to forward for your information the rules* sanctioned by us for the redemption of the Land Revenue, together with the correspondence† which has taken place on the subject with the Board of Revenue.

* In Proceedings of Government, 27th August 1863.

† Proceedings of Government 26th February 1863, Nos. 380, 381.
" " 16th July 1863, Nos. 318, 319.
" " 27th August 1863, Nos. 285, 286.

We have, &c.
(signed) *E. Maltby.*
J. Pycroft.

Enclosure 1, in No. 63.

PROCEEDINGS of the Madras Government, Revenue Department, 26 February 1863.

LETTER from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department; dated Madras, 26 January 1863.

Sir,

1. WITH reference to paragraph 3 of the Government Order, dated 24th September 1862, No. 2050, Revenue Department, I am directed by the Board of Revenue to submit the accompanying draft rules for the redemption of the land revenue, as restricted by Her Majesty's Secretary of State in paragraphs 26, 63, and 75 of the Despatch, dated 9th July 1862.

2. The rules are taken from those originally proposed by Government and communicated to the Board with the proceedings of 27th February 1862, No. 433, Revenue Department, slightly modified to suit subsequent orders. The appended form of certificate is adopted from the forms proposed by the Government Pleader.

3. The Board have omitted the clause declaring that unregistered transfers of such enfranchised lands will not be recognised, as the Government Pleader has expressed his opinion that such a point must be made the subject of legislation. They therefore think it useless to make any provision on the subject by a mere rule which could not be maintained in the courts, and in the collector's offices would be almost destitute of force, inasmuch as the non-recognition by the collector of transfers of land not liable to any demand on account of Government would be a matter of indifference to the parties concerned.

4. The Board would suggest for the consideration of Government whether, in these cases in which the land tax is redeemed, a survey of the land is necessary; and should the Government resolve to maintain this provision, whether it would not be proper to add the same condition to Section 17 of the Rules appended to the Government Order dated 6th December 1862, No. 2553, Revenue Department, which section relates to former grants of unassessed waste.

5. With reference to paragraph 9 of the accompanying draft rules, which is taken *verbatim* from the former Government Draft, and from which it is to be inferred that the rules will apply to Inams, the Board would point out that the rate of redemption established in the rules for the Inam Commission is 20 years' purchase, while in the present rules it is 25 years. It would seem advisable to adopt one uniform rate for all cases alike.

See Rules 9 and 13 in Commissioner's Report, dated 6th July 1859.

ORDER thereon, 26 February 1863, No. 413.

1. IN paragraphs 26 and 63 of his Despatch to the Government of India, dated 9th July 1862, Revenue, No. 14, the Secretary of State authorised the Local Governments, at their discretion, to permit the redemption of the land-tax on "lands required for dwelling-houses, factories, gardens, plantations, and other similar purposes." This privilege was also to be extended to "portions of land comprised within zemindaries, the jumma of which is not redeemed, a proportionate reduction being, of course, made in the jumma payable to Government." The rate of redemption was to be the current value of the four per cent. loan.

G. O. 24th September 1862, No. 2050.

2. The Board of Revenue now submit rules for giving effect to this resolution. The rules are nearly identical with those proposed by Government on the Resolution of the Supreme Government prior to the receipt of the despatch above quoted.

3. Under existing rules the owners of land occupied wholly or partially by buildings may redeem the land-tax at 20 years' purchase, so that the despatch merely extends this privilege, at a higher rate, to gardens, plantations, and the like. This is a very vague definition. It would include the so-called gardens of Malabar, very lightly assessed, betel gardens, plantain gardens, &c., which really differ in no respect from paddy or grain lands, except that they bear a different crop. Such lands do not require to be held rent free, but it is difficult to word the rule in any way that shall exclude them. It seems to the Government that the safest course will be to require that applications for redeeming the tax on gardens and plantations shall first be submitted for the sanction of the Board of Revenue, the collectors having power to deal with building sites of their own authority. As to the redemption of the assessment of coffee lands in Wynad, or of lands generally on the Neilgherry, Shervaroy, and Pulney Hills, it must be understood that the liberty already given in regard to the redemption of the land-tax on these lands is to continue in force.

4. In paragraph 4 of their present letter the Board inquire whether a survey of land redeemed is necessary. The Government think that before the land-tax is redeemed for ever they should make sure that the extent of the land is correctly stated, as once the tax is redeemed, the land is, of course, out of their reach. The provision should, therefore, be maintained, and it must be understood that the survey is to be made at the expense of the applicant, as is done in the case of waste lands.

5. The Board add that if Government adhere to the requirement of survey, a similar provision should be annexed to Section 17 of the Waste Land Rules appended to Government Order, 6th December 1862, No. 2553. This can be done by the Board with whom the rules now are.

6. The Board also point out that under the Inam Rules, inamdars can commute their quit-rent at 20 years' purchase, whereas in redemptions of ordinary land assessment 25 years is the rate, and they urge the advisability of adopting one uniform rate in all cases.

7. The Government are of opinion that inams should be left as they are. For special reasons Government determined on dealing with these tenures in a liberal manner, those reasons exist unchanged, and the settlement of the tenures is nearly completed. To alter the terms now would lead to dissatisfaction, and there is this great difference between the case of inams and assessed lands, viz., that the Government are pledged to the former, while with the latter they are free from all engagement made or even implied.

8. The rules will require some modifications.

(1.) Rule I. does not provide for extending to permanently settled estates, the jumma of which is not redeemed, the power of redeeming the assessment on lands coming within the scope of the rules, a proportionate reduction being made in the jumma, as required by the latter part of paragraph 26 of the Secretary of State's Despatch.

(2.) In Rule VII. the Government would leave out "jenmaker and mirassidar," and say simply "the registered proprietor," the registry being the only safe guide.

(3.) Rule IX. The first part of this rule needs modification, as permanently assessed estates are not to be redeemed. The rule should also provide for lands held in perpetuity on rates differing from the regular assessment, not being inams. Many building sites are held on one rupee per acre, where the regular assessment would be a few annas and *vice versâ*. These rates, if perpetual, must be respected. A slight addition providing for the lands in question has been made to the rule.

No. XVII. of the rules appended to G. O. 6th Dec. 1862, No. 2653.

(4.) Rule XII. In the case of unassessed waste granted for terms of years, the grantees may redeem by paying a sum "equal to the present value of all future stipulated annual payments calculated at four per cent. interest, provided the said amount is not less than the prescribed minimum for the locality or the description of land included in the grant." Assessed lands coming within the scope of these rules, but held on cowle or lease, should be similarly treated; and there must be some similar stipulation to guard against temporary peppercorn rents being redeemed in perpetuity.

9. The rules will be returned to the Board in view to their being modified in conformity with the views above expressed.

(signed) *J. D. Sim,*
Secretary to Government.

Enclosure 2, in No. 63.

PROCEEDINGS of the Madras Government, Revenue Department, 16 July 1863.

LETTER from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department, Fort Saint George (No. 3666); dated Chepauk, 20 June 1863.

Sir,

1. THE rules for the sale of waste land in freehold having now been circulated, I am directed by the Board, with reference to Government order, dated 26th February 1863, No. 413, Revenue Department, to submit the revised rules for the redemption of assessment on lands already in occupation, and thereby converting them into freehold.

2. The rules have been re-arranged and modified to meet the views expressed by Government. The form of title-deed has been revised by the Government pleader.

3. The early publication of these rules will enable the Board to prohibit absolutely the further operation of the rules of 1859.

4. They however, direct me to submit, for the consideration of Government, whether the privilege of redeeming the assessment on lands under ordinary cultivation within the limits of the High Court's original jurisdiction round Madras, a privilege which is provided in the old rules, shall be reserved; and also whether the issue of permanent title deeds, reserving the usual annual tax or quit-rent (also provided for in the old rules), for lands of which the assessment is capable of being redeemed at option, shall be maintained.

5. The retention of the last provision appears desirable, but the Board doubt whether the forms will be practically of any use. They believe that in no single instance has advantage been taken of it in the four years that have elapsed since its original publication, though the right of redemption was only 20 times the annual assessment. Now also that the Madras and the Chingleput districts are amalgamated, there seems no reason for treating lands in the immediate vicinity of Madras, but under ordinary tillage, in a different manner from those in other parts of the district.

6. If converted into building sites or gardens, the general rules would become applicable to these lands; but until so converted, there appears no great cause for dealing with them specially, when the effect will no longer be that contemplated by the original rule, of freeing the collector from duties connected with ordinary Land Revenue.

DRAFT of REVISED RULES for the REDEMPTION of the LAND REVENUE.

I. Proprietors of lands occupied for dwelling houses or factories, of coffee lands in the Wynád, of lands on the Neilgherry, Pulney, or Shervaroy hills, and of lands occupied or intended for gardens or plantations, properly so called, such lands being subject to assessment, quit-rent, or other public land tax, if desirous of redeeming such assessments, &c., must apply by letter to the collector of the district in which the lands are situated. This rule is applicable to the kinds of land above designated, situated in zemindaries, as well as to lands in Government talooks; but does not necessarily include lands classed as baghayet or totacal. Applications relating to these last kinds of lands must be referred by the collector with full particulars, for the decision of the Board of Revenue.

II. In estates held under the regulations of 1802, the registered zemindar shall alone be held to have the right to redeem the Land Revenue under these rules, a corresponding reduction being made in the annual peshcush. In the case of ryotwary lands, the registered proprietor holding directly from Government shall alone have the right to redeem.

In other cases the person entitled to pay the assessment shall be held as a general rule to possess the right, but all doubtful cases shall be referred to the Board of Revenue for decision.

III. Inám lands will be dealt with under the special rules for their enfranchisement, and will not be affected by these rules. Grama Nattam land is also excluded from their operation.

IV. Grants of unassessed waste land already made for terms of years under previous rules, and in which no right of occupancy or proprietorship exists, except that of the grantees, or such as has been derived from them, may at the option of the grantees, or of their representatives, be brought within the operation of these rules, and the grantees or their representatives may redeem the future land tax on such grants, or on any compact part of them, by payment down of the aggregate amount of tax with which the land in

question is liable under the grant to be charged for the whole of the 25 years next ensuing after the date of application, provided the said amount is not less than the prescribed minimum upset price for the sale of unassessed waste land of a similar class in the locality.

If the aggregate tax assessible on the land for the 25 years next ensuing, shall be less than the said minimum upset price, the latter shall be the amount payable in redemption of future land tax.

V. The redemption of the assessment on lands held in shares, on Cowles, or on leases, and, generally of lands held on peculiar tenures shall not be allowed without the sanction of the Board of Revenue, and the above restriction, as to the minimum of redemption of money, will apply also to the cases of assessed lands occupied on Cowles.

VI. The rate of redemption in other cases shall be 25 times the existing annual assessment, except where the Government title on which the land may be already held shall contain an express provision for redemption at a lower rate.

VII. The assessment on which the redemption shall be calculated, shall in the case of lands settled under Regulation XXV. of 1802, be the permanent assessment. In the case of other lands it shall be the survey or recognized standard assessment. Where lands are held in perpetuity at specified rates, such rates shall form the basis of the calculation.

VIII. The redemption of the Land Revenue under these rules shall in no way affect sub-tenures, right of occupancy, or other subordinate rights whatever.

IX. Lands of which the assessment is redeemed under these rules shall continue liable to general, local, and municipal taxes, in common with other lands.

X. It is to be understood that the freedom of tenure conferred by redemption is absolute only as against Government. It will be given on *primâ facie* evidence of the right of the applicant to be recognized as proprietor, and other persons contesting that right and claiming the land will be as free as before to sue the holder in the civil courts.

XI. The application must state the situation of the lands, their extent so far as known, their assessment, and the applicant's title to be recognized as their proprietor.

XII. Immediately on receipt of an application for permission to redeem the assessment, the collector, if he admits the application, shall cause durable boundary pillars or marks to be erected, clearly defining the limits of the land, and shall have it surveyed and a plan of it prepared as soon as possible.

The boundary pillars are to be erected and maintained at the expense of the applicant, who shall also bear the cost of the survey and plan of the land.

XIII. When the land concerned has been already scientifically surveyed, and the particulars are on record, its re-survey shall not be necessary. The applicant shall in such cases be charged only with the cost of putting up durable boundary marks, and of preparing a plan of the land.

XIV. In all cases where a collector refuses to permit an applicant to redeem his assessment, it shall be open to the applicant to appeal to the Board of Revenue.

XV. On payment of the redemption money in full, with all cost of survey and demarcation, the party permitted to redeem the assessment shall be furnished by the collector with a title deed in the following form.

It is to be understood that the current demand will continue up to the date on which the redemption money is proffered in full, together with the cost, actual or estimated, of demarcation and survey, or of demarcation only, as the case may be.

FORM of TITLE for OCCUPIED LANDS converted into FREEHOLD.

This Indenture made the day of one thousand eight hundred and sixty between the Right Honourable the Secretary of State for India in Council of the one part and (A.B.) of the village of in the collectorate of of the other part. Whereas the said (A.B.) registered proprietor of the land described in the schedule hereunder written and delineated in the map or plan hereunto annexed under the provisions contained in the rules for the redemption of Land Revenue passed by the Honourable the Governor of Fort Saint George in Council under date the day of 18 No. has paid into the Treasury at the sum of rupees (the receipt whereof is hereby acknowleged) in redemption of the annual assessment or quit-rent at present payable on the said land, Now this Indenture witnesseth that in consideration of the said sum of rupees so paid as aforesaid (the receipt whereof is hereby acknowledged) the said Secretary of State in Council doth hereby declare that the said land is henceforward

ward free from all demand on the part of Her Majesty for or on account of quit-rent, assessment, land-tax, or other land revenue; provided, however, that these presents in no way affect the liability of the said land to the payment of all general taxes and local rates now existing, or which at any time hereafter may be imposed by law and of the owners thereof to the observance of the several conditions in the said Rules contained; nor do they in any way affect any rights or interests which other parties than the above said (A. B.) may have in the said land. And this Indenture further witnesseth that, for and in consideration of the declaration hereinbefore contained and in consideration of the premises, he, the said (A. B.), for himself, his heirs, personal representatives, and assigns doth hereby covenant with the said Secretary of State in Council, his successors and assigns, that he, the said (A. B.), his heirs, personal representatives and assigns will, at his and their own costs and charges forthwith erect and at all times hereafter maintain and keep in good repair permanent boundary marks round the said land and premises. In witness whereof the Honourable the Governor of Fort St. George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council and the said (A. B.) hath set his hand and seal the day and year first above written.

The Schedule above referred to.

District.	Talook.	Village.	Name, if any.	Boundaries.	Extent.

The Seal of the Honourable the Governor of Fort St. George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to the Government.

Signed, sealed, and delivered by the above-named (A. B.) of in the East Indies in the presence of } (L. S.)

Signature of (A. B.)

Received from the above-named (A. B.) the sum of rupees, being the consideration money above-mentioned to be by him paid.

Rs.

Collector of

ORDER thereon, 16 July 1863, No. 1310.

1. WITH the above letter the Board submit a draft of revised rules for the redemption of assessment on lands occupied by buildings, &c.

2. The only modifications the Government consider necessary are the following:—

3. In Rule 3 they would include lands brought under the new rules subject to assessment as the deeds on which they are held provide for enfranchisement. The rule might run thus: "Inam lands and lands purchased under the rules, dated respectively 6th, 7th, and 9th March 1863, Nos. 478A, 482A, and 488A, for the sale of waste lands on the Neilgherries and Shervaroys and in the Wynad Talook of Malabar, will be dealt with according to the deeds under which they are held, and will not be affected by these rules. Gramma Nattam land is also excluded from their operation."

4. On further consideration the Government consider that the rate of redemption under Rule IV. should be 25 times the full assessment. The favourable terms temporarily granted in Cowles, &c., are for a specific purpose, such as the experimental growth of a special

special product or the expense of clearing, and that they are sufficient for that purpose, is shown by their being accepted. There is no good reason, therefore, for their being taken into calculation in redeeming the assessment or placing the holders of such temporary advantages permanently in a better position than those who from the outset pay full assesssment. As the rule stands, a person holding lands free of assessment for seven years, would be entitled to redeem the assessment at 18 years' purchase only.

5. The Board's proposal to continue the issue of permanent title-deeds reserving the usual annual tax or quit-rent (as provided in the old rules) for lands of which the assessment is capable of being redeemed at option, is approved.

6. The similar privilege in respect of cultivated lands in the town of Madras need not be continued, no advantage having been taken of it by the people.

(signed) *J. D. Sim,*
Secretary to Government.

Enclosure 3, in No. 63.

PROCEEDINGS of the Madras Government, Revenue Department, 27 August 1863.

LETTER from *W. Hudleston,* Esq., Secretary to the Board of Revenue, to *J. D. Sim,* Esq., Secretary to Government, Revenue Department, Fort St. George (No. 4731); dated Madras, 29 July 1863.

Sir,

1. WITH reference to the order of Government, dated 16th July 1863, No. 1310, I am directed by the Board of Revenue to submit for the sanction of Government, the finally revised rules for the redemption of the Land Assessment.

2. The modifications directed by Government in the above Order have been made, and the necessary provision has been added for the grant of permanent puttahs for land, of which the assessment is capable of being redeemed under the rules.

RULES for the REDEMPTION of the LAND REVENUE.

I. Proprietors of lands occupied for dwelling houses or factories, of coffee lands in the Wynad, of lands on the Neilgherries and the Pulny or Shevaroy Hills, and of lands occupied or intended for gardens or plantations properly so called, such lands being subject to assessment, quit-rent, or other public land tax, if desirous of redeeming such assessment, &c., must apply by letter to the collector of the district in which the lands are situated. This rule is applicable to the kinds of land above designated, situated in zemindaries, as well as to lands in Government talooks; but does not necessarily include lands classed as baghayet or totacal. Applications relating to these last kinds of land must be referred by the collector, with full particulars for the decision of the Board of Revenue.

II. In estates held under the Regulations of 1802, the registered zemindar shall alone be held to have the right to redeem the Land Revenue under these rules, a corresponding reduction being made in the annual peshkush. In the case of ryotwary lands, the registered proprietor holding directly from Government shall alone have the right to redeem.

In other cases the person entitled to pay the assessment shall be held, as a general rule, to possess the right, but all doubtful cases shall be referred to the Board of Revenue for decision.

III. Inám lands and lands purchased under the rules dated respectively 6th, 7th and 9th March 1863, Nos. 478A, 482A, and 488A, for the sale of waste lands on the Neilgherries, on the Shevaroy Hills, and in the Wynad Talook of Malabar, will be dealt with according to the deeds under which they are held, and will not be affected by these rules. Gramma Nattam land is also excluded from their operation.

IV. Grants of unassessed waste land already made for terms of years under previous rules, and in which no right of occupancy or proprietorship exists except that of the grantees, or such as has been derived from them, may, at the option of the grantees or of their representatives, be brought within the operation of these rules, and the guarantees or their representatives may, at their option, redeem the future Land-tax on such grants, or on any compact part of them.

V. The redemption of the assessment on lands held in share, or Cowles or on leases, and generally, of lands held on peculiar tenures, shall not be allowed without the sanction of the Board of Revenue.

VI. The rate of redemption shall be twenty-five times the full annual assessment on the land in addition to the actual cost of survey and durable demarcation, except where the

the Government title on which the land may be already held shall contain an express provision for redemption at a lower rate.

VII. The assessment on which the redemption shall be calculated, shall, in the case of lands settled under Regulation XXV. of 1802, be the permanent assessment. In the case of other lands, it shall be the survey or recognized standard assessment. Where lands are held in perpetuity at specified rates, such rates shall form the basis of the calculation.

VIII. The redemption of the Land Revenue under these rules shall in no way affect sub-tenures, right of occupancy, or other subordinate rights whatever.

IX. Lands of which the assessment is redeemed under these rules, shall continue liable to General, Local, and Municipal taxes, in common with other lands.

X. It is to be understood that the freedom of tenure conferred by redemption is absolute only as against Government. It will be given on *primâ facie* evidence of the right of the applicant to be recognised as proprietor, and other persons contesting that right, and claiming the land will be as free as before to sue the holder in the Civil Courts.

XI. Applications to redeem the assessment under these rules must state the situation of the lands, their extent, so far as known, their assessment, and the applicant's title to be recognised as their proprietor.

XII. Immediately on receipt of an application for permission to redeem the assessment, the collector, if he admits the application, shall cause durable boundary pillars or marks to be erected, clearly defining the limits of the land, and shall have it surveyed, and a plan of it prepared as soon as possible.

The boundary pillars are to be erected and maintained at the expense of the applicant, who shall also bear the cost of the survey and plan of the land.

XIII. When the land concerned has been already scientifically surveyed, and the particulars are on record, its re-survey shall not be necessary. The applicant shall in such cases be charged only with the cost of putting up durable boundary marks, and of preparing a plan of the land.

XIV. In all cases where a collector refuses to permit an applicant to redeem his assessment, it shall be open to the applicant to appeal to the Board of Revenue.

XV. On payment of the redemption money in full, with all cost of survey and demarcation, the party permitted to redeem the assessment shall be furnished by the collector with a title deed in the form annexed, marked A.

It is to be understood that the current demand will continue up to the date on which the redemption money is proffered in full, together with the cost, actual or estimated, of demarcation and survey, or of demarcation only, as the case may be.

XVI. Proprietors of lands of which the assessment is capable of being redeemed under these rules, but who are unable or unwilling to redeem the tax, shall, on application and on payment of the cost of survey and of durable demarcation, be granted titles of permanent settlement under the seal of Government in the annexed form B. in lieu of the yearly puttahs hitherto granted; and tenures on such titles shall be convertible at will into freehold, on payment down of 25 times the full annual assessment as above provided.

XVII. The Rules of August and September 1859, will cease to operate from and after the publication of these rules, except in so far as concerns lands already dealt with under those rules.

(A.)

FORM of TITLE for Occupied Lands converted into Freehold.

THIS Indenture made the day of one thousand eight hundred and sixty between the Right Honourable the Secretary of State for India in Council of the one part and (A. B.) of the village of in the Collectorate of of the other part; Whereas the said (A. B.), registered proprietor of the land described in the Schedule hereunder written and delineated in the map or plan hereunto annexed under the provisions contained in the rules for the redemption of Land Revenue, passed by the Honourable the Governor of Fort St. George, in Council under date the day of 18 No. has paid into the Treasury at the sum of rupees (the receipt whereof is hereby acknowledged) in redemption of the annual assessment or quit-rent at present payable on the said land, now this Indenture witnesseth that in consideration of the said sum of rupees so paid as aforesaid the said Secretary of State in Council doth hereby declare that the said land is henceforward free from all demand on the part of Her Majesty for or on account of quit-rent, assessment, land tax, or other Land Revenue; provided, however, that these presents in no way affect the liability of the said land to the payment of all general taxes and local rates now existing or which at any time hereafter may be imposed by law and of the owners thereof to the observance of the several conditions in the said

said rules contained. Nor do they in any way affect any rights or interests which other parties than the above said (A. B.) may have in his said land. And this indenture further witnesseth that for and in consideration of the declaration hereinbefore contained and in consideration of the premises, he the said (A. B.) for himself, his heirs, personal representatives and Assigns doth hereby covenant with the said Secretary of State in Council, his successors and assigns, that he the said (A. B.) his heirs, personal representatives and assigns will at his and their own costs and charges forthwith erect, and at all times hereafter maintain and keep in good repair, permanent boundary marks round the said land and premises. In witness whereof the Honourable the Governor of Fort Saint George in Council on behalf of the said Secretary of State in Council hath hereunto affixed the seal of the said Governor in Council, and the said (A. B.) hath set his hand and seal the day and year first above written.

The Schedule above referred to.

District.	Talook.	Village.	Name, if any.	Boundaries.	Extent.

The Seal of the Honourable the Governor of Fort St. George in Council was hereunto affixed in the presence of } (L. S.)

Secretary to Government.

Signed, sealed, and delivered by the above-named (A. B.) of in the East Indies in the presence of } (L. S.)

Signature of (A. B.)

Received from the above-named (A. B.) the sum of rupees, being the consideration money above-mentioned to be by him paid.

Rs.

Collector of

(B.)

FORM of TITLE of Permament Settlement for Land of which the assessment is capable of being redeemed under the above Rules.

WHEREAS (A. B.), holder on terminable lease of the land specified in the Schedule hereunder written, and delineated in the map or plan hereunto annexed, has made application that the said tenure may be changed into a permanent holding, and has paid the actual cost of the survey and durable demarcation of the land.

I collector of acting under the authority of the Governor in Council of Madras, do hereby confirm the said land to the said (A. B.) and his heirs in permanent property, subject to the regular yearly payment of the sum of rupees now payable thereon to Government.

Provided that this quit-rent shall be paid for each revenue year to the proper receiving officer on or before the 31st March in that year, failing which it will be recoverable by the ordinary process for recovering arrears of land revenue by the Madras Code.

Provided also that the said (A. B.) or other lawful owner of the said land shall be at liberty at any time to redeem the aforesaid annual payment, by paying to Government the sum of rupees being equal to twenty-five times the amount of the said yearly quit-rent;

quit-rent; and that on such payment, a certificate shall be given to him declaring the land to be thenceforward free from all payment of revenue or quit-rent.

Provided also that the said (A. B.) or other lawful owner of the said land shall at all times hereafter, at his own expense, repair and maintain in good order the boundary works erected round the said lands.

Provided also that this certificate in no way affects the liability of the above said land to payments for general municipal or other local purposes, nor does it in any way affect any rights or interests which other parties may have in the said land, or any of the other conditions on which it is now held.

Specification of the Land.

District.	Talook.	Village.	Name, if any.	Boundaries.	Extent.

By order of the Government of Madras.

(*C. D.*), Collector.

Order thereon, 27 August 1863, No. 1575.

1. The rules are approved, and printed copies of them and of the deeds attached to them will be furnished to the Board of Revenue.

2. The Government have slightly amended form B.

(True Extract.)

(signed) *C. G. Master*,
Deputy Secretary to Government.

To the Board of Revenue.

— No. 64. —

Copy Revenue Despatch to the Government of Madras (No. 78); dated 16 November 1863.

Sir, India Office.

1. I have had under my consideration in Council the letter from your Excellency's Government, dated the 9th September last (No. 96), with which you forward to me a copy of the rules which have been sanctioned by you for the redemption of the land revenue.

2. These rules appear to have been carefully framed, and to be restricted to the cases contemplated in my Despatch to the Government of India, dated the 9th July (No. 14), 1862, and they accordingly have my approval.

I have, &c.
(signed) *C. Wood.*

— No. 65. —

Revenue Department.—No. 105 of 1863.

To the Right Honourable the Secretary of State for India.

Right Honourable Sir,

1. We have the honour to acknowledge the receipt of your Despatch, dated 8th August, 1863, No. 46, conveying your approval of the general rules sanctioned by us for the sale of unassessed waste lands within this Presidency, and also of the special rules applicable to lands in the Neilgherry and Shervaroy hills, and the Wynád Talook of Malabar.

2. In reference however to the portion of Rule XI. which declares that "if, after survey, at the request of an applicant, it should prove that the lands are not saleable under these rules, the applicant must still pay the expense of surveying them," you remark that it is "the duty of the collector to ascertain in the first instance whether the lands applied for are saleable under the rules, and if they are found not to be so, to avoid the needless expense of a survey; and that it would be unfair to charge the applicant with expenses which have been incurred, not from his default, but from that of the officers of Government."

3. We beg to explain that the object of the rule in question is to guard Government from loss in cases where claims to the land applied for are not apparent at first.

4. On receipt of an application the collector, under Rule VI. ascertains as well as he can from his records and such sources of information as may be immediately available, whether the land is probably saleable. He cannot then make a formal enquiry into the existence of claims to the land, because this enquiry would involve delay, of which the applicant would be sure to complain; and also because until the land is marked out and advertised, claimants would often be unaware of the exact land applied for.

5. If *primâ facie* the collector believes the land available, he calls for a deposit for the survey expenses; the land is then marked out, notified for sale, and advertised for three months, purposely to allow claimants to come forward. It appears to us that if the land then be proved to belong to others, the applicant ought to pay the expense to which Government had been put in endeavouring to meet his wishes.

6. The rule, in fact, only compels an applicant to exercise reasonable caution, and not apply at hazard for land belonging to others.

7. We beg to be informed whether under this explanation you still wish the rule in question altered.

We have, &c.

Fort St. George,
5 October 1863.

(signed) *W. T. Denison.*
E. Maltby.

— No. 66. —

Copy Revenue Despatch to the Government of Madras (No. 82); dated 9 December 1863.

Sir,

I have had under my consideration in Council the letter from your Excellency in Council, dated the 5th October last, No. 105, in which you furnish a reply to my despatch of the 8th August last, No. 46, a statement of the reasons which led you to provide, by Rule XI. of the General Rules, for the sale of unassessed waste lands; that "if, after survey, at the request of an applicant, it should prove that the

the lands are not saleable under these rules, the applicant must still pay the expense of surveying them," and you inquire whether, under the explanation furnished, it is still my desire that the rule should be altered.

2. You observe that the object of the rule is to guard Government from loss in cases where claims to the land applied for are not apparent at first, and that a "formal inquiry into the existence of claims to the land," previously to the issue of the advertisement, would involve an amount of delay of which the applicant would be sure to complain. You add, that "the rule, in fact, only compels an applicant to exercise reasonable caution, and not apply at hazard for land belonging to others."

3. It appears to me, however, that at least as much reasonable caution should be exercised by the collector before he allows the expense of a survey to be incurred, and that that functionary has at his disposal more ample means than the applicant can possess, of ascertaining, through the district officers, whether it is likely that any claims will be put forward to the land, without going into the formal inquiry which would be requisite to determine whether these claims were tenable. It would doubtless be felt as a grievance by an applicant that he should be required to pay the expense of a survey, from which he had derived no benefit, in cases where he had no reason to suspect the existence of any claimant to the land. Where the collector shall, after a preliminary inquiry, see reason to believe that claims will be put forward, and shall have duly warned the applicant that the survey will be undertaken only on his request, and at his risk, there will, of course, be no want of equity in requiring him to defray the expense. I think, therefore, the rule should be so modified as to render it incumbent on the collector, when he receives an application, and has reason to think that the land may turn out not to be at the disposal of Government, to warn the applicant thereof. Should the applicant prefer that the survey should be proceeded with, the principle of the present rule should then apply, and the survey be at the applicant's expense. But if no such warning is given, then the survey should be at the expense of Government.

I have, &c.
(signed) *C. Wood.*

— No. 67. —

Proceedings of the Madras Government, Revenue Department, 25 February 1863.

Order,* 25 February 1863, No. 403.

1. In this Resolution the Accountant-General is ordered by the Government of India to send to them "accounts of all receipts arising from the sale of waste lands, from the enfranchisement of imperfect tenures, or from the commutation of the claim of the Government to land Tax." It is expressly stated that "in the Madras Presidency the accounts shall include Inám Enfranchisement Commutations." The Resolution is based on paragraph 75 of the Despatch of the Secretary of State, dated 9th July 1862, enjoining that all sums paid in purchase of waste lands, or in redemption of land revenue, or in otherwise forestalling the land revenue, shall be invested as soon as possible, and, as a rule, in the 4 per cent. loan.

2. The Government observe that Her Majesty's Secretary of State had clearly in view only receipts from sales of land and redemptions of land revenue effected under the Resolution of the Supreme Government, dated 17th October 1861, No. 3264. The Government of India, however, in the Resolution just quoted, have given the order a much wider signification, and it seems to the Government necessary

* Passed on Resolution of Governor General, dated 26 January 1863, No. 32 of this Return.

necessary to issue explicit instructions to the collectors regarding certain items which may otherwise be erroneously dealt with.

1. In this Presidency the Government have reserved certain tracts from the operation of the Resolution of the Supreme Government, dated 17th October 1861, No. 3264. In these tracts lands are sold, not in freehold, nor with any upset price, but subject to an annual assessment, in accordance with the principle laid down in 1859,* three years before the present rules were framed. The price (whatever it may be) realized at the auctions is available for investment in the Government loans, and should be entered in the returns ordered, but the annual assessments must be regarded as ordinary revenue, and should be excluded from the returns.

* Vide Orders of Government, dated 5th August 1859, No. 1053. 21st September 1859, No. 1271.

2. In Malabar the Government are and have for some time been selling the jenm or proprietary right in lands which have at various periods escheated to the State. In that district all land was originally private property, and by far the largest portion still continues so. The proprietary right is quite distinct from the right of the State to an assessment, which last holds good in whatever hands the former may be vested. The lands which belong to the State in proprietary right have all fallen in by escheat, and are comparatively so few that their retention is undesirable. In fact, the proprietary right or jenm is so highly valued in Malabar, that it not only fetches a high price, but adds materially to the value of the lands so held. The Government have therefore for years past disposed of this proprietary right, reserving however the right of the State to its annual assessment. This annual assessment should be excluded from the returns, as it is clearly ordinary Land Revenue, but the sums realised for the proprietary right should be included in them.

3. Inám Enfranchisements.—The Government possessed a reversionary right or interest, more or less valuable in Inám tenures. They resolved in 1859 to offer to the Inámdars generally the option of commuting this reversionary right for an annual payment, proportioned to the value of the rights surrendered, and the option also of entirely redeeming these annual payments. The quit-rents to which a large number of Ináms were previously, and still continue subject, and the additional quit-rents stipulated for future payment annually, are simply land revenue, and should be excluded from the returns ordered by the Supreme Government. By the last report of the Inám Commissioner, the former amount on the Ináms already dealt with by him to 5,14,000 rupees per annum, and the latter to 10,01,000 rupees per annum, while the money paid in redemption once for all of all future demands on account of Land Revenue, is 10,760 rupees. The last item and similar sums realized in the same manner hereafter should alone be included in the returns.

Among the Inám enfranchisements will ultimately be included a very large sum, being the proceeds of the enfranchisement of village service Ináms. These form the remuneration of these offices, their endowment in fact, and it is out of the annually accruing fund created by their enfranchisement that the village servants are hereafter to be paid in money for the services which they must continue to render, and which are indispensable. These cannot be invested in the public securities, or there will be no means of paying the village officers. They should therefore be excluded from the returns.

4. The proceeds of lands sold for arrears of revenue should be excluded, inasmuch as they are merely realizations of current dues, and the overplus, if any, is payable to the defaulting landholders.

3. The Government resolve to instruct the Board of Revenue to call upon the collectors for copies of the statements rendered by them to the Accountant-General, classified under proper heads. The Board will be desired to supply to the collectors forms for the returns settled in communication with the Accountant-General.

4. A copy of these proceedings will also be forwarded to the Government of India for their information, and for orders as to whether the expenses incurred in realizing

realizing the sums to be invested under the order of the Secretary of State, should not be first deducted, the net proceeds only being held available for investment.

(signed) *J. D. Sim,*
Secretary to Government.

From *J. D. Sim*, Esq., Secretary to the Government of Fort St. George, to the Secretary to the Government of India, Financial Department (No. 432); dated 28 February 1863.

Sir,

1. With reference to the Resolution of the Government of India, dated 26th January 1863, No. 124A, directing the Deputy Auditors and Accountants General to submit accounts of all receipts arising from the sale of waste lands, from the enfranchisement of imperfect tenures or from the commutation of the claim of Government to land tax, I am directed to forward herewith copy of the proceedings of this Government, dated 25th February 1863, No. 403, giving instructions to the collectors on certain points connected with the preparation of the required accounts.

2. I am directed to request the orders of the Government of India as to whether the expenses incurred in realising the sums to be invested, in accordance with the Despatch of Her Majesty's Secretary of State, dated 9th July 1862, should not be first deducted, the net proceeds only being held available for investment.

Proceedings of the Madras Government, Revenue Department, 24 August 1863.

Read the following proceedings of the Board of Revenue; dated 15 August 1863:—

1. With reference to the Order of Government, dated 25th February 1863, No. 403, communicating the Resolution of the Government of India in the Financial Department, dated 26th January 1863, the Board resolve to forward the accompanying statement, showing the sums realised in each district by the sale of waste lands and by the redemption of the quit-rent, &c., from 17th October 1861 to 31st December 1862. The statement has been compiled from the returns furnished by the collectors in Form No. 1, which accompanied the Board's Standing Circular, dated 2d July 1863, No. 4004, but the detailed registers which the collectors are required to keep, and for which also forms were prescribed in the above circular, not having been as yet prepared and communicated to the Board, the Board are without the means of testing the correctness of the amounts given by the collectors.

2. With his letter, dated 22d June 1863, the Acting Accountant-General having communicated a telegram from the Government of India "to expedite the statements," the Board thought proper, without waiting for the receipt of the returns from the collectors, to furnish what particulars were available in their records. It was, however, then intimated that the information was based on imperfect data, and that a more complete return would be submitted as soon as the detailed information called for from the collectors was received. Owing partly to imperfect data, but chiefly to the circumstance that the sums realised from the different items as then reported, related to the whole period from the date on which the several rules come into operation up to 30th April last, the receipts

Board's letter to Accountant General, dated 29th June 1863, No. 3925.

receipts shown in the Board's first report will be found to differ from the receipts as entered in the present return.

3. In regard, however, to the item "Redemption of quit-rent on Ináms," which the Government of India specially observed ought to be included in the statement, the Board requested the Acting Inám Commissioner to furnish them with a memorandum of the sums realised in each district from this source, between the 16th October 1861 and 31st December 1862, with the view of comparing them with the receipts entered in the collector's returns. This intention has, however, been defeated, for it is observed by the Acting Inám Commissioner in his letter forwarding the memorandum, that sums collected and brought to credit in the collector's books are not entered in the registers of his department until the case has been reviewed and title deeds issued. This circumstance, while it necessarily caused a variation between the two accounts, tended to show that the collector's accounts of actual receipts were the more complete. In a few cases, however, the memorandum from the Inam Commissioner showed larger receipts than those in the collector's returns, and in these cases the former have been adopted as likely to be more correct, for it is evident that the amount ought to have been credited in the collector's books. The omission to include them in the collector's present returns has probably been the result of an oversight; explanation will be called for from the districts concerned.

4. In the monthly statements of demand, collection and balance forwarded to the Board, the collectors were required to enter these receipts up to the end of each month, but on comparison, the entries are found to differ from the receipts in the present returns without apparent reason. The Board consider it unnecessary to wait for explanation of these differences; but it will be called for in due course, and measures will be adopted to prevent their recurrence.

5. With these remarks the Board resolve to forward the statement to the Acting Accountant-General and Government. The total receipts from all the items during the period in question is 56,963 rupees, as shown below. It will be observed that the item "sale of proprietary right in the Escheats of Malabar" is the largest. The item was not entered in the letter to the Acting Accountant-General, dated 29th June, 1863, No. 3925.

	Rs.
Amount by sale of lands in freehold for building purposes at an upset price equal to 25 times the land tax	10,980
Do. do. of lands in Neilgherries, &c., subject to an annual quit-rent	97
Do. do. of proprietary right in the Escheats of Malabar	31,338
Do. by redemption of tax on Government lands, subject to quit-rent, but converted to freehold tenure	2,616
Do. do. of quit-rent on Inám lands other than village service Ináms	1,581
Do. by sale of unassessed waste lands in freehold	6,602
Do. do. of houses or other real property which did or might yield revenue	3,749
Total	56,963

— No. 68. —

PROCEEDINGS of the Madras Government, Revenue Department, 25 February 1863.

From *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department; dated Madras, 28 November 1862.

Sir,

1. As a question respecting the disposal of waste lands is now under the consideration of Government, the Board direct me to submit the accompanying statement showing the quantity of land applied for since the publication of the Governor General's Resolution and to the dates named, which has been prepared from the replies of the several collectors to the Board's Circular on the subject.

2. No applications for the purchase of waste lands had been received in the districts named in the margin.*

* Nellore. Bellary. Madras. North Arcot. Tanjore. Tinnevelly. Trichinopoly.

STATEMENT showing the Quantity of Land applied for under the Governor General's Resolution in the several Districts of the Madras Presidency.

Districts.		Quantity of Land applied for under Governor General's Resolution.
Ganjam	16 August 1862	About 14,945 acres.
Vizagapatam	7 October „	428 acres.
Godavery	23 August „	48 acres, 97 cents.
Kistna	18 „ „	84 acres.
Nellore	25 September „	No land applied for to date.
Cuddapah	19 „ „	About 342 acres.
Bellary	13 „ „	No land applied for to date.
Kurnool	17 „ „	4,100 acres.
Madras	10 October „	No land applied for to date.
North Arcot	6 September „	- ditto - - ditto.
South Arcot	16 „ „	661 acres.
Tanjore	11 August „	No land applied for to date.
Trichinopoly	8 „ „	- ditto - - ditto.
Madura	20 „ „	About 165 acres.
Tinnevelly	18 „ „	No land applied for to date.
Coimbatore	13 „ „	18,788 acres.
Salem	12 „ „	21,890 „
South Canara	15 October „	5,172 „
Malabar	4 September „	25,000 „

(signed) *W. Hudleston*, Secretary.

From *W. Hudleston*, Esq., Secretary to the Board of Revenue, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department; dated Madras, 20 December 1862.

Sir,

1. WITH reference to the Order of Government, dated 2d July 1862, No. 1439, Revenue Department, I am directed by the Board of Revenue to submit herewith the scale of establishments which, in the opinion of the Superintendent of Revenue Survey, it will be necessary to entertain in the districts named in the margin† for the survey of waste lands applied for under the Governor General's Resolution. The collectors of the other districts state that they do not require any special establishment for the purpose.

† Ganjam. Kistna. Cuddapah. Kurnool. Salem. South Canara. Malabar.

2. Major Priestley considers that the establishments proposed for Ganjam, Kurnool, and South Canara, would suffice for all future purposes of detailed field surveys in continuation of the Revenue Survey of any district as performed by his department.

3. The files containing the replies of the collectors to the Board's Circulars on the subject, together with an abstract of them, are herewith forwarded.

PROCEEDINGS of the Board of Revenue, dated 8 January 1863.

READ Proceedings of the Madras Government, dated 24 December 1862, No. 2687.

With reference to paragraph 3 of the above Government Order, the Board observe that the estimate for the Ganjam Survey Establishment was submitted to Government by the Board under date 20th December 1862, No. 8320.

(signed) *W. Hudleston*, Secretary.

OFFICIAL MEMORANDUM from *R. E. Masters*, Esq., Officiating Director of Revenue Settlement, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department, Fort Saint George; dated Madras, 20 January 1863, No. 66/9.

IN reply to the Deputy Secretary's Official Memorandum, dated 14th instant, No. 12, the Officiating Director of Revenue Settlement has the honour to state that he learns from the Superintendent of Survey that no portion of the survey department was retained in Wynaad after the termination of the working season in 1862, but that at the close of the last monsoon, a small party, as per margin* was detached from the Coimbatore party, and sent to the Wynaad to complete unfinished surveys, and to correct errors in the former ones. It is Major Priestley's intention to recal this party as soon as it has completed the work on which it is engaged; but it has been suggested to him that the better course will be to retain it in Wynaad as long as the season will permit, and employ it in measuring the Government lands now in course of demarcation, in accordance with Government Order, dated 28 November 1862, No. 2501.

*2 Head Surveyors.
3 Detail. ditto.
1 Ameen.
2 Head Peons.
25 Peons.

ORDER thereon, 25 February 1863, No. 407.

1. THE foregoing papers relate to the waste lands applied for in the several districts of this Presidency under the Resolution of the Governor General, and to the establishments necessary for their survey.

2. From the following statement it appears that applications for waste land to any considerable extent have been received in six* only of the 19 districts; in six others,† a few applications have come in; and in the remaining seven,‡ none whatever. The total number of acres applied for is about 87,000, and an additional 150,000 have been estimated for on account of the possible requirements of the next 12 months.

Districts.	Extent of Waste Land	
	Already applied for.	Expected to be applied for.
	Acres.	*Acres.*
* Ganjam	14,945	Not stated.
† Vizagapatam	428	1,000
† Godavery	48	Cannot estimate.
† Kistna	84	5,000
† Nellore	none	None.
‡ Cuddapah	342	Not stated.
‡ Bellary	none	- ditto.
* Kurnool	4,100	- ditto.
‡ Madras	none	- ditto.
‡ North Arcot	none	None.
† South Arcot	661	Not stated.
‡ Tanjore	none	Unable to say.
‡ Trichinopoly	none	Not stated.
† Madura	165	Unable to say.
‡ Tinnevelly	none	Not stated.
* Coimbatore	18,788	45,000
* Salem	21,890	80,000
* South Canara	5,172	3,950
* Malabar	25,000	15,000
TOTAL	86,623	1,49,950

3. From

3. From the Board's letter of 20th December last, No. 8320, it appears that special survey establishments are considered desirable in seven* districts. Major Priestley has furnished a scale of necessary requirements in each case.

*Ganjam. Kistna. Cuddapah. Kurnool. Salem. South Canara. Malabar.

4. Ganjam.—The establishment proposed for this district is calculated to survey monthly about 1,500 acres in blocks larger than 100 acres, and about 1,000 acres in fields less than 100 acres.

	Rs.
1 Surveyor	50
1 Draughtsman	25
1 Gumashta	12
1 Computor	20
9 Peons or Measures	51
Saderwarid	5
TOTAL	163

5. Kistna.—The course advocated in this district is to continue the present survey class, but with augmented rates of pay and some change in nomenclature. The following table shows the effect of the changes suggested :—

Sanctioned Establishment.	Rs.	Now in Employ.	Rs.	Proposed Establishment.	Rs.
1 Ameen	25	1 Ameen	25	1 Topographical Surveyor	25
1 Deputy Ameen	12	1 Deputy Ameen	12	1 Ameen	15
8 Gumashtas at 6 rupees	48	4 Gumashtas at 6 rupees each	24	8 Gumashtas at 12 rupees each	96
10 Peons at 3 rupees	30	6 Peons at 3 rupees	18	10 Peons at 5 rupees each	50
				Saderwarid	4
	115		79		190

6. Cuddapah.—One surveyor on 30 rupees is considered sufficient for this district, the Superintendent Revenue Survey seems doubtful, however, whether a competent man can be obtained for the money.

7. Kurnool.—The collector proposed an establishment to cost 108 rupees monthly. Major Priestley, having in view the probability of further applications for land, recommends the entertainment of that marginally exhibited, at a cost of 163 rupees.

	Rs.
1 Surveyor	50
1 Draughtsman	25
1 Gumashta	12
1 Computor	20
9 Peons or Measures	51
Saderwarid	5
TOTAL	163

8. Salem.—In lieu of an establishment costing 225 rupees per mensem as proposed by the collector, Major Priestly considers that the following arrangement should be sanctioned with special reference, it would appear, to the Shervaroy Hills :—

Designation.	Pay.	Batta.	Total.	REMARKS.
2 Surveyors	70	26	192	Batta to be drawn for each working day only and not during sickness, absence, and holidays. When employed in the low country, batta to be struck off.
1 Detail Surveyor	35	13	48	
1 Gumashta	12	6½	18½	
2 Draughtsmen	25	13	76	
2 Writers and Computors	20	6½	53	
12 Lascars	5	2	84	
Saderwarid	—	—	10	
			481½	

9. South Canara.—Major Priestley is of opinion that an establishment, as per margin, which would be capable of undertaking any description of survey, would be preferable to that suggested by the collector, who proposed a surveyor and two peons to each of four talooks in his district, the fifth being allowed double that number, at a total monthly cost of 267 rupees.

	Rs.
1 Surveyor	50
1 Draughtsman	25
1 Gumashta	12
1 Computor	20
9 Peons or Measurers	51
Saderwarid	5
TOTAL	163

10. Malabar.—For this district the collector proposes an establishment of a temporary nature to cost 970 rupees monthly, which, after having accomplished the work ready for it, might, in eight months or a year, be reduced to a permanent standard estimated to cost *Rs.* 294. 2 *a.* 8 *p.* per mensem. This latter would suffice to deal with lands hereafter applied for, as well as for annual measurements for purposes of assessment of cultivated or planted lands.

11. The establishments which Major Priestley would prefer differ in a few respects from those proposed by the collector. They are exhibited in the following statement :—

No.	Designation.	Rates of Pay per Month.			Remarks.
		Pay.	Batta.	Total.	
	Temporary Establishment :	*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	
4	Surveyors	70 – –	26 – –	384 – –	
1	Detail Surveyor	35 – –	13 – –	48 – –	
1	Gumashta	12 – –	6 8 –	18 8 –	
3	Draughtsmen	25 – –	13 – –	114 – –	
2	Writers and Computors	20 – –	6 8 –	53 – –	
40	Peons	5 – –	2 – –	280 – –	
	Saderwarid	– –	– –	10 – –	
	Total – – – *Rs.*	– –	– –	907 8 –	Batta to be drawn for each working day only, and when employed in the low country batta to be struck off.
	Permanent Establishment :				
1	Surveyor	70 – –	26 – –	96 – –	
1	Detail Surveyor	35 – –	13 – –	48 – –	
1	Gumashta	12 – –	6 8 –	18 8 –	
1	Draughtsman	25 – –	13 – –	38 – –	
1	Writer and Computor	20 – –	6 8 –	26 8 –	
12	Peons	5 – –	2 – –	84 – –	
	Saderwarid	– –	– –	5 – –	
	Total – – – *Rs.*	– –	– –	316 – –	

12. In their Order of 21 October 1861, No. 2015, the Government directed certain modifications to be made in the survey of Wynaad whereby the establishment up to that time entertained would be considerably reduced. The Director of Revenue Settlement subsequently reported that Major Priestley had recommended a revised establishment costing *Rs.* 1,498. 10 *a.* 8 *p.* per mensem for the annual measurement of cultivation for the purposes of taxation, and for the survey of estates at the planters' cost. He promised to submit this to Government at some future date, with any modifications which further experience might suggest. The Government at the time merely remarked* that they were not prepared permanently to retain so large a party as that suggested, and here the matter dropped.

* G. O. 12th February 1862, No. 289.

13. His Excellency in Council now learns from the acting director's memorandum (the fourth paper recorded above) that no portion of the Survey Department was retained in Wynaad after the termination of the working season in 1862. Major Priestley, it is stated, has recently detached a small party from Coimbatore to complete unfinished surveys in Wynaad, and the acting director has suggested to him the advisability of leaving it there as long as the season will permit, for the purpose of measuring the paddy lands, forests, &c., the demarcation of which was ordered in Government Order, 28 November 1862, No. 2501.

14. The Government will now proceed to pass orders in regard to the establishments required for the various districts enumerated above.

15. That proposed for Ganjam (paragraph 4) seems suitable, and should at once be entertained. Considering the very small extent of land applied for as yet in the Kistna district (paragraph 5) there seems to be no reason for making any addition to the survey class already at work there. It is observed from the tabular statement entered in paragraph 5 that this establishment actually in employ is less than that sanctioned, so that a margin exists in case any extension or remodelling of the class may prove necessary. In Cuddapah (paragraph 6) no special agency is yet needed. As long as the regular survey is in progress in Kurnool and Salem, any waste lands applied for can be measured under the orders of the Deputy Superintendent in charge, and the establishment now proposed (paragraph 7) need not at present be sanctioned. Those recommended for South Canara (paragraph 9) and Malabar (paragraph 11) are approved. In the last-named

lastnamed district the permanent establishment will be eventually formed when the bulk of the work has been got through by the temporary establishment, and final orders will then be passed regarding it. It will be left to Major Priestley's discretion to withdraw the small party referred to in paragraph 13 as soon as the special work for which it was sent to Wynaad has been accomplished. The establishment now sanctioned will hereafter be available for all purposes.

16. The Board of Revenue will submit the usual tabular statement, for submission to the Government of India, specifying, in each case where the establishments have not been alluded to as permanent, how long their services will be required. No delay, however, should occur in setting the different parties to work.

17. On receipt of the tabular statement a letter will be addressed to the Government of India, in continuation of that dated 9th December last, No. 2570.

(signed) *J. D. Sim*,
Secretary to Government.

PROCEEDINGS of the Board of Revenue, dated 30 April 1863.

Letter from the Acting Collector of South Canara (No. 43); d. 26 March 1863.
„ from the Collector of Ganjam (No. 53); dated 28 March 1863.
„ from the Collector of Malabar (No. 65); dated 10 April 1863.

1. ORDERED that the above letters from the Collectors of Ganjam and Malabar, together with a tabular statement of the survey establishments required for those districts and for South Canara, be submitted to Government, with reference to paragraphs 15, 16, and 17 of their Proceedings, dated 25th February 1863, No. 407.

2. The Collector of Ganjam applies for a permanent establishment, at a cost of 163 rupees per mensem, for surveying unassessed waste to be sold under the Governor General's Rules,* in view to its being made available, on the completion of that work, for detailed field-surveys in continuation of the Revenue Survey. The establishment is that proposed by the Superintendent of Revenue Survey himself.

* Dated 17 Oct. 1861, published in "Fort St. George Gazette" of 24 January 1862.

3. The Collector of Malabar applies for a temporary establishment, at a cost of *Rs.* 907. 8. per mensem for one year, to be afterwards reduced to a permanent establishment of 316 rupees per mensem. † The scale of establishment is that approved by the Superintendent of Revenue Survey.

† Vide paragraphs 10 and 11 of G. O., 25 February 1863, No. 407.

4. The case of South Canara has been already reported to Government in Board's Proceedings, 17th April 1863, No. 2,205. The tabular statement now submitted includes a survey establishment of 163 rupees a month, as proposed by the Superintendent of Revenue Survey, in lieu of one of 267 rupees a month applied for by the Collector—the former, capable of undertaking any description of survey, being considered by Major Priestley to be the preferable of the two.

(signed) *W. Hudleston*, Secretary.

ORDER thereon, 19 June 1863 (No. 1,077).

1. WITH these proceedings the Board of Revenue submit a tabular statement of establishments required in Ganjam, Malabar, and South Canara, for surveying waste lands to be sold under the new rules approved of in the Order of Government, dated 25th February 1863, No. 407. But in the case of South Canara it has since been discovered that the large extent of land referred to in paragraph 2 of the Order alluded to, and with reference to which the scale was approved, was not applied for under the recent rules, as understood by the Board and the Government, but to be held on puttah, bearing assessment. The Board, however, in their Proceedings, dated 17th April last, supported the Collector's request that the establishment should nevertheless be allowed, as it is under any circum-

stances urgently required in the district; and the Government, in their Order dated 8th May 1863, No. 796, called for further information. The application for the South Canara establishment will, therefore, be separately disposed of.

2. The statement includes the permanent establishment which will be required eventually in Malabar, when the bulk of the work has been got through by the temporary establishment; though Government, in paragraph 15 of their Order of 25th of February last, stated that final orders regarding that establishment will be passed at the time it is required. It will therefore be excluded from the application to be submitted to the Government of India; and sanction will be solicited only for the permanent establishment at a monthly cost of 163 rupees for Ganjam, and for the temporary establishment for one year at the monthly cost of *Rs.* 907. 8. for Malabar.

(signed) *J. D. Sim,*
Secretary to Government.

From *J. D. Sim*, Esq., Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, Home Department (No. 1078); dated 19 June 1863.

Sir,

1. With reference to the concluding sentence of paragraph 4 of my letter, dated 9th December 1862, No. 2570, I have the honour, under the orders of his Excellency the Governor in Council, to submit an application, in the prescribed form, for establishments required in the districts of Ganjam and Malabar for surveying waste lands to be sold under the new rules.

2. The establishment proposed for Ganjam will cost 163 rupees per mensem; the extent of land applied for under the new rules in Ganjam up to August 1862 was 14,945 acres.

3. The Collector of Malabar proposed an establishment of a temporary nature, to cost monthly 970 rupees, which, after having accomplished the work ready for it, might in eight months or a year be reduced to a permanent standard estimate of *Rs.* 294. 2. 8. per mensem; but the Superintendent of Revenue Survey reduced the former sum to *Rs.* 907. 8., and raised the latter to 316 rupees. The Government approved Major Priestley's scale for the temporary establishment, deferring for the present final orders on the permanent establishment, which will not be required for several months. The extent of land applied for in Malabar, up to August 1862, is 25,000 acres. The applications for land in this district are numerous, and it is of great consequence that they should be rapidly dealt with; hence the greater strength of the survey establishment proposed.

4. With this explanation I am to request the sanction of the Government of India for the proposed establishments, at a cost of *Rs.* 1,070. 8. per mensem, as noted in the margin,* retrospectively from 25th February last, as their immediate employment was absolutely necessary for the disposal of the numerous applications received for waste lands. Sufficient provision was made for this expenditure in the Budget for 1863-64, under "Extra and Temporary Establishment," and any deficiency which may occur in one district will be covered by the saving in another. I am to add that the expenditure in question will ultimately be recovered from the purchasers of the land surveyed. A copy of the Proceedings of this Government, dated 25th February 1863, No. 407, in which the necessity or otherwise of the survey establishment for each district was considered, accompanies this letter.

	Rs.	*a.*	*p.*
* Permanently	163	–	–
Temporarily for one year	907	8	–
Total	1,070	8	–

Financial Department, Fort William, 4 August 1863.

RESOLUTION.

The Honourable the President in Council is pleased to sanction the establishments.

— No. 69. —

SUBSIDIARY INSTRUCTIONS to COLLECTORS relating to the Sale of Unassessed Waste Lands in the Madras Presidency, under the Rules (No. 2553); dated 6 December 1862.

1. Collectors shall open, and carefully and punctually maintain, registers of tracts reserved from the operation of these Rules as being required for forest purposes, for grazing or firewood preserves, for building sites, or for any other public object: copies of the entries in the registers shall be regularly forwarded to the Board of Revenue. These registers shall be available for reference, by intending purchasers of waste land, on application at the offices of the Collector or the Board of Revenue. The Conservator of Forests will be consulted by Collectors in regard to forest tracts which it may be desirable to reserve, and the orders of the Supreme Government on this point (Board's Circular Order, dated 17th December 1862, No. 8,207) will be kept carefully in view.

2. Immediately on the receipt of an application for unassessed waste land, the Collector shall ascertain whether there is any objection to the sale, or whether any special limitation is necessary by reason of the land being required for public purposes.

3. Where no such objections are known to exist, the Collector shall have the land demarcated and surveyed without delay, and then issue the prescribed advertisement, carefully observing Rules 8 and 9.

4. In fixing the upset price, collectors will bear in mind that the cost of survey and demarcation is to be included in it, and subsequently adjusted, as explained in Rule 13.

5. The upset price shall also be calculated on the whole area of the lot, without any deduction on any account whatever. At the auction the advertisement, with the conditions of sale attached to it, should be read out by the auctioneer before the bidding commences, and copies of the rules should be kept available for reference.

6. A separate register of all sales under the Rules shall be kept in the Collector's Office, in English, in the following form :—

Number of Lot.	Name of Purchasers (in full).	Talook and Village in which Lands situated.	Name and Boundaries of Lot.	Area of Lot.	Price of Lot.	Date and No. of Deed of Sale.	Special reservations, if any.	Subsequent registered Transfers or Succession.

The original maps or plans and survey records of all such lands shall be kept in a series corresponding with the number in this register.

7. The deeds are to be executed in duplicate and, after being properly filled up and signed, submitted through the Board for the seal of Government. When returned one copy is to be delivered to the purchaser, and the other carefully preserved by the Collector.

8. The receipts at the foot of the several deeds are to be signed by the Collector.

9. The instructions in the margin of the forms of deeds attached to the Rules must be carefully observed. Blank forms (without these directions) will be forwarded for use.

10. The lots must be consecutively numbered in the order of sale, without reference to locality, and the deeds must bear corresponding numbers.

11. The plans to accompany the deeds must be signed by Collectors and securely attached to the deeds.

12. Copies of the rules should be supplied to tahsildars and others for sale to the public, at two annas per copy.

13. All sales of waste land made under the rules in each district shall be reported immediately to the Board of Revenue.

14. Every six months a report shall be furnished by Collectors to Government, through the Board of Revenue, of all sums that may have been realised within the previous six months as purchase-money and interest.

Instructions to Collectors.

1. Collectors shall open, and carefully and punctually maintain, Registers of tracts reserved from the operation of these Rules as being required for forest purposes, for grazing or firewood preserves, for building sites, or for any other public object: copies of the entries in the Registers shall be regularly forwarded to the Board of Revenue. These Registers shall be available for reference, by intending purchasers of waste land, on application at the offices of the Collector or the Board of Revenue. The Conservator of Forests will be consulted by Collectors in regard to forest tracts which it may be desirable to reserve, and the orders of the Supreme Government on this point (Board's Circular Order, dated 17th December 1862, No. 8,207) will be kept carefully in view.

2. Immediately on the receipt of an application for unassessed waste land, the Collector shall ascertain whether there is any objection to the sale, or whether any special limitation is necessary by reason of the land being required for public purposes.

3. Where no such objections are known to exist, the Collector shall have the land demarcated and surveyed without delay, and then issue the prescribed advertisement, carefully observing Rules 8 and 9.

4. A separate register of all sales under the Rules shall be kept in the Collector's Office, in English, in the following form:—

Number of Lot.	Name of Purchasers (in full).	Talook and Village in which Land is situated.	Name and Boundaries of Lot.	Area of Lot.	Price of Lot.	Annual Assessment.	Date and Number of Deed of Sale.	Special reservations, if any.	Subsequent registered Transfers or Succession.

The original maps or plans and survey records of all such lands shall be kept in a series corresponding with the number in this register.

5. The deeds are to be executed in duplicate and, after being properly filled up and signed, submitted through the Board for the seal of Government. When returned one copy is to be delivered to the purchaser, and the other carefully preserved by the Collector.

6. The receipts at the foot of the several deeds are to be signed by the Collector.

7. The instructions in the margin of the forms of deeds attached to the Rules must be carefully observed. Blank forms (without these directions) will be forwarded for use.

8. The lots must be consecutively numbered in the order of sale, without reference to locality, and the deeds must bear corresponding numbers.

9. The plans to accompany the deeds must be signed by Collectors and securely attached to the deeds.

10. Copies of the Rules should be supplied to tahsildars and others for sale to the public, at 2 annas per copy.

11. All

11. All sales of waste land made under the Rules shall be reported immediately to the Board of Revenue.

12. Every six months a report shall be furnished by the Collector to Government, through the Board of Revenue, of all sums that may have been realized within the previous six months as purchase money and interest.

Letter from *W. Hudleston*, Esq., Secretary to the Board of Revenue, to the Collectors of Salem, Coimbatore, and Malabar (No. 3,211); dated Madras, 29 May 1863.

Sir,

In continuation of their proceedings, dated 15th May 1863, No. 2,893, I am directed by the Board of Revenue to forward for your guidance the accompanying subsidiary instructions relating to the sale of assessed waste on the Shervaroys, Neilgherries, and in the Wynaad, under the Rules dated 6th March 1863, and numbered 478A.

Subsidiary Instructions to Collectors, relating to the Sale of Assessed Waste on the Neilgherries, Shervaroys, and in the Wynaad.

1. Collectors shall open, and carefully and punctually maintain, Registers of tracts reserved from the operation of these Rules as being required for forest purposes, for grazing or firewood preserves, for building sites, or for any other public object: copies of the entries in the registers shall be regularly forwarded to the Board of Revenue. These registers shall be available for reference, by intending purchasers of waste land, on application at the offices of the Collector or the Board of Revenue. The Conservator of Forests will be consulted by Collectors in regard to forest tracts which it may be desirable to reserve, and the orders of the Supreme Government on this point (Board's Circular Order, dated 17th December 1862, No. 8,207) will be kept carefully in view.

2. Immediately on the receipt of an application for assessed waste land, the Collector shall ascertain whether there is any objection to the sale, or whether any special limitation is necessary by reason of the land being required for public purposes.

3. Where no such objections are known to exist, the Collector shall have the land demarcated and surveyed without delay, and then issue the prescribed advertisement, carefully observing Rules 8 and 9.

4. A separate register of all sales under the Rules shall be kept in the Collector's Office, in English, in the following form:—

Number of Lot.	Name of Purchasers (in full.)	Taluk and Village in which Land is situated.	Name and Boundaries of Lot.	Area of Lot.	Price of Lot.	Annual Assessment.	Date and Number of Deed of Sale.	Special reservations, if any.	Subsequent registered Transfers or Succession.

The original maps or plans and survey records of all such lands shall be kept in a series corresponding with the number in this register.

5. The deeds are to be executed in duplicate, and, after being properly filled up and signed, will be submitted through the Board for the seal of Government. When returned one copy is to be delivered to the purchaser, and the other carefully preserved by the Collector.

6. The receipts at the foot of the several deeds are to be signed by the Collector.

7. The instructions in the margin of the forms of deeds attached to the

rules must be carefully observed. Blank forms (without these directions) will be forwarded for use.

8. The lots must be consecutively numbered in the order of sale, without reference to locality, and the deeds must bear corresponding numbers.

9. The plans to accompany the deeds must be signed by Collectors and securely attached to the deeds.

10. Copies of the Rules should be supplied to tahsildars and others for sale to the public, at 4 annas per copy.

11. All sales of waste land made under the Rules shall be reported immediately to the Board of Revenue.

12. Every six months a report shall be furnished by the Collector to Government, through the Board of Revenue, of all sums that may have been realised within the previous six months as purchase money and interest.

— No. 70. —

LETTER from *P. Grant*, Esq., Collector of Coimbatore, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 12); dated 21 January 1863.

Sir,

. Board's Miscellaneous Circular, dated 26 September 1862, No. 6,507.
Ditto, Standing ditto, dated 13 September 1862, No. 8,115.

1. I HAVE received the Board's orders marginally noted, calling for a report on the upset price proposed to be fixed on unassessed waste lands to be sold outright, by auction, free of all future assessment.

2. The lands on the Neilgherries it has been determined are to be sold, liable to an assessment, but without any upset price, to the highest bidder, so that they do not come within the category of the lands now to be considered; but I am doubtful whether the lands below the crest of the plateau are to be sold on the same terms as those above it. My own opinion is opposed to this view, and I strongly recommend that they be sold at an upset price of the same amount as other unassessed waste lands, and for the same reasons. On this point definite orders are solicited.

3. The determination of the upset price is a subject of considerable importance, for if it is too high it will deter parties from purchasing, and if too low the interests of Government will be sacrificed. Several gentlemen, of considerable local knowledge and experience, with whom I have conversed on the subject of the upset price, have given it as their opinions that sums varying from 5 to 10 rupees per acre should be adopted. At first I thought that 10 rupees per acre, the price of jungle land in Ceylon I believe, would be fair; but having lately, and especially in former years, seen much of the forest land likely to be purchased, I have modified my views the more I have thought over the subject; and I am now decidedly of opinion that an upset price of 2½ rupees per acre for all unassessed waste forest land, with the exception of certain lands to be referred to hereafter, is sufficiently high. The circumstances which have influenced me in coming to this conclusion are the following:—

The forest lands to be sold are most unhealthy; none of them consist of tableland, as in the Wynaad and on the Neilgherries; the greater portion form the slopes and belts of jungle at the base of the higher hills, and no one at all acquainted with the jungles in this part of India requires to be told how very unhealthy they are. So deadly are they that, with the exception of half-a-dozen coffee-plantations and the cultivation, if it can be called such, of the jungle tribes (all of whom suffer more or less from fever), these jungles are still in their normal condition; the few coffee-plantations that have been formed in them have proved the grave of many Natives and, I suspect, some few Europeans.

To encourage people to take up such unhealthy jungles for cultivation, the inducements must be strong; and, so far as Government is concerned, the greatest immediate inducement is a low upset price: in fact, to insure their speedy cultivation, it would be worth the while of Government to give the lands away for nothing. The indirect advantages would be great; unhealthy localities would be improved, and the diffusion of capital employed in this work could not but tend

to

to the enrichment of the community, who would in their turn, by the increased consumption of the necessaries and luxuries of life, stimulate the general productive resources of the country.

4. The portions of the country which I would advise should be sold at an enhanced upset price, say five rupees per acre, are the higher ranges of the Anamalays, and the Balavamputty or Vellingherry Hills, about 20 miles due west of the Coimbatore Railway-station, if these latter prove to be within the limits of this district. These high hills are beyond fever range, and would be resorted to by parties opening out plantations on the slopes and lower belts of jungle; they will, in fact, give a value to them which they would not otherwise possess; for Europeans, after labouring on their plantations during the day, must have a bracing climate to resort to, otherwise the wear-and-tear will be too great for their constitutions. The unassessed waste lands which will come under the new rules are the following:—

1. The Anamalay Hills, the higher ranges of which are free from fever.
2. The Balavamputty or Vellingherry Hills, with ranges free from fever, a portion of which it is believed lies beyond the limits of this province.
3. The Neilgherry Hills, the higher and lower ranges, with the miles of jungle on their slopes and around their base.
4. The Hassanoor Ranges, in Satimungalem Talook.
5. The Burghur Hills, in Bowny Talook.
6. The extensive hills in Collegal Talook, in the north-east part of the district.

With the exception of the high ranges in 1, 2, and 3, all the other jungles are, in their present state, most unhealthy. A liberal policy on the part of Government, combined with the prospect of large returns on the investment of capital, will alone tend to their future improvement.

The propositions now made are,—

1. That the plateau on the Anamalay and Vellingherry Hills be sold outright, at an upset price of five rupees per acre.
2. That the waste lands under the crest of the Neilgherry plateau, as well as all other unassessed waste lands, be sold at an upset price of 2½ rupees per acre.

An early decision on these points is requested.

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1. Ordered to be submitted to Government, in continuation of the Board's Proceedings, dated 26th January 1863, No. 512, proposing the upset price for unassessed waste land generally.
2. The Board consider it very undesirable to establish an unnecessary number of rates, and they see nothing in the circumstances of the waste lands in Coimbatore to render special rates necessary. In their Proceedings above referred to, the Board have proposed five rupees per acre as the upset price for forest land, and 2½ rupees for open lands, and they recommend that these rates be adopted for Coimbatore.
3. It will be necessary to exercise much care in reserving the forest near the sources and along the lines of the hill-streams in many of the tracts referred to by the Collector, but the Board doubt not that Mr. Grant is fully alive to the vast importance of this part of the subject.

(signed) *W. Hudleston*, Secretary.

Order thereon, 23 February 1863 (No. 383).

1. In the letter submitted with these Proceedings the Collector of Coimbatore, Mr. Grant, suggests the rates which he considers suitable for unassessed waste sold under the new rules. There are five hill tracts in that district (besides the Neilgherries, which, as already ordered,* are to be specially treated), viz.:—

(1.) The Annamalay Hills.
(2.) The Balavamputty or Vellingherry Hills.
(3.) The Hassanoor Ranges.
(4.) The Burghur Hills.
(5.) The Collegal Ranges.

* G. O. 6 December 1862, No. 2,554.

Mr. Grant proposes that the higher portions of the first two should be sold at the minimum upset price of five rupees, and the remainder at that of 2½ rupees per acre. The latter rate is proposed also for all other unassessed waste in the district.

2. The Board of Revenue consider it very undesirable to establish an unnecessary number of rates, and see nothing in the circumstances of the Coimbatore District rendering special rates necessary. They adhere, therefore, to the proposal contained in their Proceedings, dated 26th January last*—viz., that all forest land should be rated at five rupees, and open land at 2½ rupees per acre.

* In G. O. 21 February 1863, No. 375.

3. The Government think the Board's plan is the best, and it is accordingly sanctioned for adoption; five rupees is equivalent to an annual assessment of only four annas (or 6*d.*) per acre, and this rate is sufficiently low for forest land, as a general rule, especially as a purchaser is allowed three years for payment.

4. There are, however, tracts in which the clearance of jungle is, for many reasons, desirable, and in such cases special encouragement may with propriety be offered. The Government allude, among others, to the tract of unhealthy bamboo jungle at the foot of the Coonoor Ghaut beyond Metapolliem, and that at the foot of the Segoor Ghaut; but the general rate for the district cannot be lowered to meet such exceptional cases. The proper course is for the Collector to make a definite proposal, according to circumstances, and the Government can pass such orders as may appear expedient. They will only observe, that to encourage the clearing of the country between the Bowany at Metapolliem, and the foot of the Coonoor Ghaut, it would be worth while to grant the land at a very low rate, or on favourable cowles. For Segoor it is of less consequence, for when the Bangalore Branch of the South-Western Railway is finished few passengers will use that ghaut. Besides, it will not be of much use to clear the jungle there unless the worst part of it, that about Tippecaudoo, which lies in the Mysore country, is cleared by that Government.

5. Mr. Grant, it is observed, proposes to sell lands "under the crest of the Neilgherry plateau," on freehold tenure, at 2½ rupees per acre. This, however, is a vague and unsafe definition, and there would be much diversity of opinion as to where the plateau or the crest ended. The safe course will be to consider all the slopes of the Neilgherries, as far as coffee will grow, to be excepted from the Waste Lands' Rules, and only saleable subject to assessment, as directed in Government Order, dated 6th December 1862, No. 2,554.

(signed) *J. D. Sim,*
Secretary to Government.

Letter from *J. Silver*, Esq., Collector of Tinnevelly, to *W. Hudleston*, Esq., Secretary to the Board of Revenue (No. 96); dated Tinnevelly, 7 March 1863.

Sir,

With reference to paragraph 15 of the order of Government, dated 21st February 1863, No. 375, forwarded with the Board's proceedings of the 26th idem, I have the honour to recommend that the upset price of unassessed waste lands at the disposal of Government in the plains in this district be fixed at 2½ rupees an acre. Such lands are generally of poor quality, and the above-named price will be fair.

Order thereon, 18 March 1863 (No. 541).

Approved.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 71. —

Letter from *G. S. Forbes*, Esq., Collector of Ganjam, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Chetterpore, 7 March 1863 (No. 37).

Sir,

With reference to Rule 3 for the sale of unassessed waste lands, annexed to the Order of Government, dated the 6th December last, No. 2553, communicated with the Board's standing Circular, No. 8115 of the 13th idem, I have the honour to solicit the instructions of the Board as to what should be considered the minimum extent of land to be sold under these rules. It does not seem desirable to fix a low minimum lest we should invite a class of almost pauper proprietors. I would suggest 50 acres.

Ordered to be submitted for the decision of Government.

(signed) *W. Hudleston*, Secretary.

Order thereon, 1 April 1863, No. 607.

The Government do not see the necessity at present of any minimum.

(signed) *J. D. Sim*,
Secretary to Government.

— No. 72. —

Letter from *C. W. Reade*, Esq., Collector of South Arcot, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Fort St. George; dated Cuddalore, 5 March 1863 (No. 64).

Sir,

1. In acknowledgment of the Board's Proceedings, No. 1197 of the 26th ultimo, forwarding proceedings of Government of the 21st idem, on the subject of the upset price to be fixed on unassessed waste lands in the districts of the Madras Presidency, I have the honour to state that, strictly speaking, there are no unassessed waste lands in this district. The entire area of the district, including jungles, hills, &c., has been nominally surveyed, and the survey accounts are in existence; consequently, unless these same lands which are immemorial waste, are to be brought within the operation of the orders in question, those orders have no applicability in this district, there being no waste lands in South Arcot which have not been surveyed, and on which an assessment has not been fixed.

2. On receiving the Board's instructions to that effect, I shall be prepared at once with my opinion as to the upset price, maximum and minimum, proper in my judgment to be fixed on immemorial waste lands.

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1. Ordered to be submitted for the consideration of Government.

2. It appears to the Board that under the circumstances stated by the Collector the rules for the sale of unassessed waste will not apply to the South Arcot District, unless specially extended to the immemorial waste by order of Government.

(signed) *W. Hudleston*, Secretary.

Order thereon, 7 April 1863, No. 616.

The Governor in Council requests that the Board of Revenue will obtain more precise information on this subject. The Government are aware that much waste land in South Arcot, which appeared likely to be brought into cultivation, was measured at the time of the Paimash, and that accounts were prepared for its assessment. But they also understood that large forest tracts in Trinomalle and elsewhere were not assessed but entered in the Paimash accounts under the head of Porumpoke. Thus, according to a statement in paragraph 13 of the report of

the Collector, dated 17th December 1853, the Paimash Porumpoke in the ten Hooloos Talooks is given at seven lacs of cawnies, of which a trifling portion only had up to that time been cultivated, and explanation is necessary why the remainder should not come under the Waste Land rules.

(signed) *J. D. Sim*, Secretary to Government.

Letter from *C. W. Reade*, Esq., Collector of South Arcot, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras; dated Cuddalore, 22 April 1863 (No. 109).

Sir,

1. With reference to the proceedings of the Board of Revenue, dated 10th instant, No. 2055, communicating the orders of Government requesting more precise information from me relative to the unassessed waste lands in this district, I have the honour to state that, since the submission by the late Collector, Mr. Maltby, of the statement appended to paragraph 13 of his letter to the Board, dated 17th December 1853, which exhibited seven lacs of Pymaish Porumboke lands in the ten Hulus Talooks as lying waste, Mr. Hall in paragraph 12 of his letter to the Board dated 19th May 1855, No. 99, solicited permission to assess the newly-reclaimed Porumboke lands in the ten Hulus Talooks at the modified village rate; and the Board, in reply, under date the 4th June 1855, No. 1384, authorised the classification and assessment of those lands at the modified teerwah, placing them on an equal footing with other lands of the same description in the villages in preference to the suggestion of Mr. Hall to adopt the average of the village rates.

2. The general rules laid down in revising the tax on the Porumboke lands have been fully explained by that officer in paragraph 6 of his letter to the Board under date the 9th May 1857, No. 91, and also in paragraphs 52 and 53 of his Jummabundy report dated 25th September 1857.

3. I beg further to state that the total ayacut of Porumboke lands in the ten Hulus talooks, after deducting that appertaining to the villages transferred from this to North Arcot, amounts to 6,73,000 cawnies, a portion of which was reclaimed, as stated by Mr. Hall in his letter of 19th May 1855, amounting to 61,620 cawnies up to Fasli 1262. Another portion was reclaimed and brought under cultivation from Fasli 1263 to Fasli 1271, amounting to 33,731 cawnies, the aggregate being 95,351 cawnies, leaving a balance of 5,77,649 cawnies, in which are included lands covered with dense and unhealthy jungles, hills, rocks, tanks, Hindu temples, and rivers and streams, &c., all of which may be assumed as permanently unfit for cultivation. It is true that, here and there, there may be spots of Porumboke land available for cultivation in future years, and, should offers be made for such spots, they may be treated, I presume, in accordance with the spirit of the proceedings of the Board first quoted (4th June 1855).

4. Under the foregoing explanation, the Government will, I trust, be satisfied that there is no unassessed waste land properly so called in this district for which it is likely applications will be made under the new rules.

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1. Ordered to be submitted for the information of Government, with reference to their Order dated 7th April 1863, No. 616. The Board, however, consider that the facts stated do not warrant Mr. Reade's statement, that, "strictly speaking, there are no unassessed waste lands in South Arcot."

2. The rules laid down for the assessment of reclaimed Porumboke in no respect affected the position of the unreclaimed and unassessed waste, and there can be little doubt that the 5¾ lacs of cawnies of such unreclaimed waste include much that is capable of being brought under cultivation.

3. Lands "covered with dense and unhealthy jungles" are probably composed of rich soil, and might with advantage in many places be brought under cultivation without violating the precautionary rules regarding the sale of forest land.

4. The Collector will be requested to reconsider the subject, and to report further on it without delay.

(signed) *W. Hudleston*,
Secretary.

12 May 1863.

ORDER thereon, 28 May 1863, No. 918.

THE Government concur in the remarks made by the Board of Revenue. They will await the further report called for from Mr. Reade.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 73. —

LETTER from *J. L. Lushington,* Esq., Acting Accountant General, to *J. D. Sim,* Esq., Secretary to Government, Revenue Department; dated Fort Saint George, 15 April 1863 (No. 463).

Sir,

1. WITH reference to paragraph 7 of the Order of Government, No. 591, dated 27th ultimo, Revenue Department, calling for my opinion on the suggestion of the Board of Revenue to exclude from the annual estimate the establishment entertained for surveying Waste Lands, and to pay the necessary charges as an advance to be recovered eventually from the party who may apply for the land, I have the honour to state that the great objection as to the suggestion of the Board, is the great delay which must necessarily take place in the adjustment of these advances, inasmuch as the waste lands on account of which they are to be made, may not be sold for a number of years to come; in such cases, the advances must, as a matter of course, remain adjusted.

2. To keep any advance unadjusted for an indefinite period, is opposed to the instructions of the Auditor General of India, which require advances in no case to be allowed to remain unadjusted for more than three months, without special report and inquiry.

3. I would, therefore, suggest that the charges on account of waste lands be, in the first instance, borne by the State, in the same manner as those incurred on account of the Salt and Abkarry Departments are, and that the proceeds from the sale of these lands, including the charges previously incurred thereon, be credited to Government *per contra,* as is the case with the revenues from the above two sources.

4. To meet the above charges for surveying waste lands, provision to the extent of 28,500 rupees has been made in the Budget for 1863–64; and in their Proceedings, No. 331, dated 13th February 1863, Revenue Department, Government have properly remarked that "this expense will ultimately be recovered from the purchasers, and the item is therefore a recoverable advance, not a Land Revenue charge," although it must, in the first instance, for the reasons above assigned, be borne by Government as a revenual charge.

ORDER thereon, 28 April 1863, No. 732.

THE suggestion made by the Acting Accountant General in paragraph 3 of this letter, is approved.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 74. —

LETTER from *W. Hudleston,* Esq., Secretary to the Board of Revenue, to *J. D. Sim,* Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 4 May 1863.

Sir,

1. IN a letter urging the immediate publication of the Rules for the sale of Waste Land in the Wynad, the Collector states that the same rules should be

made applicable to other Government land in Malabar, of a similar character as that on the western slopes of the Neilgherries and Koondas in Walaghat, Ernad Talook, &c.

2. I am directed by the Board to submit the suggestion for the consideration of Government.

ORDER thereon, 7 May 1863, No. 784.

THE Board are requested to submit a more explicit statement of the lands to which they refer.

(signed) *J. D. Sim*,
Secretary to Government.

LETTER from the Collector of Malabar; dated Calicut, 14 September 1863 (No. 204).

1. ADVERTING to Board's Proceedings, dated 12th ultimo, No. 5061, I beg to observe that the lands alluded to in my letter, reviewed in those proceedings are termed "unassessed," as over the greater portion of them the soil has never been turned, and consequently, by Malabar custom, has never borne assessment.

2. As stated in paragraph 2 of my letter, the lands are generally fitted only for Ponom or Hill paddy. For this a few acres here and there have occasionally been taken up for a season's cultivation, paid on the cultivated area the rates prevailing in the neighbourhood, and then relapsed into waste.

3. Most of the lands are immemorial waste.

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1. ORDERED that the above papers be submitted to Government for consi deration and orders.

2. It appears to the Board that the sale by auction in freehold of the lands in question, is the most likely mode of turning them to good use, and the rates named by the Collector, though somewhat higher than have been generally adopted, for upset prices are, it is presumed, reasonable for the locality. It is evident, from the description of the land, that the low lands are relatively more valuable than the hilly portions covered with scrub jungle. These last are not similar in character to the heavy forest lands on the west coast, but have generally been more or less denuded of good soil, the heavy periodical rains having washed it down to the lower level.

3. Five rupees per acre for the scrub jungle corresponds with the rates fixed for similar tracts in Canara. The rate proposed for the open lands, viz., 10 rupees, represents, it is presumed, an actual superiority in the quality of the land.

29 September 1863. (signed) *W. Hudleston.*

ORDER thereon, 14 October 1863, No. 1876.

THE upset prices proposed by the Collector of Malabar, and recommended by the Board of Revenue in these proceedings, viz., 5 rupees per acre for Ponom lands, and 10 rupees for the more open and level lands are sanctioned.

(signed) *J. D. Sim*,
Secretary to Government.

— No. 75. —

Letter from *G. S. Forbes*, Esq., Collector of Ganjam, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Chetterpore, 9 December 1862 (No. 303).

Sir,

1. I HAVE the honour to state that a petition has been addressed to me by the sheristadar

sheristadar of the District regarding the purchase of waste lands by public servants at competitive sales under the recent orders of the Secretary of State.

2. The sheristadar conceives that Section 11 of the Rules lately promulgated by the Board is not applicable to purchases of land under these orders, seeing that the objections which render it inexpedient that public officers should purchase lands sold in satisfaction of revenue default, and the like, cannot be urged against the purchase of waste lands which are brought to competitive sale simply because they are waste and not in satisfaction of any public or private interest. Under these circumstances the sheristadar is anxious to know whether his application to purchase and reclaim 1,200 acres of swamp land must be withdrawn in consequence of the orders lately circulated by the Board. Section 20, Regulation XXVI. of 1802, and VI. of 1832.

3. As I do not consider the rules based on Section 20, Regulation XXVI. of 1802, and Regulation VI. of 1832, were intended to refer to the case in point, I beg to have the Board's instructions on the subject; it would, I submit, be carrying precautionary rules to a needless stretch of severity to give them such an effect, and public servants will feel keenly the implied distrust which denies to them a highly valued privilege on no other or higher grounds.

4. As the Supreme Government have some time since approved the rules put in force by the Government of Bengal for the sale of waste lands, I take this opportunity to request the permission of the Board and Government to proceed to the sale of such lands as I may be able to have surveyed.

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1. Ordered to be submitted for the decision of Government.

2. The rules for the sale of unassessed waste land to some extent replace the previously existing system of obtaining such land on puttah, subject to an annual assessment which it was always hitherto competent to any Native Government servant to do, and the objections against the purchase by Government servants of lands sold in realization of public dues do not appear to the Board to apply to the purchase of unassessed waste under the new rules.

3. The wording of Regulation VI. of 1832 is, however, so general that it seems desirable that Government should decide in the matter.

(signed) *W. Hudleston,*
Secretary.

Dated 14 March 1863.

Letter from *G. S. Forbes*, Esq., Collector of Ganjam, to *W. Hudleston*, Esq., Secretary to the Board of Revenue, Madras; dated Chetterpore, 7 March 1863 (No. 36).

Sir,

Several applications having been presented by public servants for grants of lands under the rules for the sale of unassessed waste lands, I have the honour to request an early reply to my letter of the 9th December last, No. 303, requesting the Board's instructions as to whether the uncovenanted servants in the Revenue and Magisterial Departments are to be allowed the benefit of these rules.

Submitted to Government in continuation of Board's Proceedings, dated 14th March 1863, No. 1527.

(signed) *W. Hudleston,*
Secretary.

Order thereon, 2 July 1863, No. 1168.

1. The Sheristadar of the Collector of Ganjam wishes to purchase 1,200 acres of waste land under the new rules, and the question submitted to Government is whether he is barred from doing so by Regulation VI. of 1832, and Regulation XXVI. of 1802.

2. The latter Regulation prohibits "Native officers of the Cutcherries of Collectors" from purchasing "lands sold at public sale in districts in which they may be employed." It was doubted whether this prohibition applied to lands

not held on zemindary tenure, and Regulation VI. of 1832 was enacted to remove this doubt. It declares that the prohibition is "applicable to lands of every description sold at public sale by or under the orders of a Collector."

3. General and comprehensive as these terms are, it is quite clear that both Regulations apply exclusively to lands belonging to private individuals, sold by Collectors for arrears or in satisfaction of Court Decrees, and not to Government land sold as unassessed waste is under the new Rules. There is nothing in the Regulations, therefore, to prevent a native public servant from purchasing land at sales held under these rules.

4. But it does not follow that such purchases as the Sheristadar of Ganjam contemplates should be permitted.

5. A deputy Collector cannot acquire land in any part of his district for agricultural purposes. A tahsildar and a sub-magistrate cannot hold land in his talook, and although a sheristadar is only a ministerial officer, and the same reasons do not altogether apply in his case as in the case of officers vested with large judicial powers, it certainly is not desirable that a sheristadar should enter so largely into agricultural pursuits as a purchase of 1,200 acres of land implies.

6. Government do not object to their native servants holding family lands, and investing their savings in moderate purchases of land. But to check abuse of this permission, and to prevent their acquiring an undue extent of land, attention to which would interfere with their public duties, they are required to give lists of the lands which they hold in order that Government may judge whether their continued employment in the same district is expedient. The Government have no hesitation in deciding that such an agricultural speculation as that contemplated by the Sheristadar of Ganjam cannot be permitted, and that he would have to be removed if he purchased land of this extent in Ganjam.

(signed) *J. D. Sim*,
Secretary to Government.

Letter from *G. S. Forbes*, Esq., Collector of Ganjam, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Chetterpore, 16 July 1863 (No. 134).

Sir,

With reference to Government Order dated the 2nd instant, No. 1168, I have the honour to request that the Board will be pleased to ascertain the maximum extent of land that an uncovenanted servant on the Collector's establishment may be permitted to hold under the Rules for the sale of unassessed waste lands, and whether the purchase of a smaller extent of land, say one-third or one-quarter of the extent originally applied for by the sheristadar, is allowable.

Submitted for the orders of Government.

Order thereon, 22 August 1863, No. 1540.

The Government can lay down no fixed rule on the question raised by Mr. Forbes. The Board will, however, ascertain and report what extent of land the sheristadar already possesses in the district.

(signed) *G. C. Master*,
Deputy Secretary to Government.

—No. 76.—

LETTER from the Honourable *R. S. Ellis*, C. B., Collector of Madras, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Suttiwadoo, 9 July 1863 (No. 248).

Sir,

WITH reference to the Board's Standing Circular No. LXXIV., dated the 25th June last, I have the honour to request the Board will be pleased to favour me with their opinion as to whether this district, having been exempted from the operation of the new Rules for the sale of waste lands, I may be guided by this order as regards lands situated within the limits of the High Court, and whether the decision of the late Sudder Court, referred to in the Circular, may be held to have a retrospective effect. I ask this with reference to certain lands which at the time of the late Madras survey were declared Government lands; they were so declared on the ground that the owners of the lands had for years ceased to cultivate them and pay assessment, and that these owners had not appeared and claimed the lands at the time of the survey, though a notice was published calling upon all persons who had any property in the lands to present themselves, and to pay up the arrears outstanding against them. I also request the Board will be pleased to furnish me with a copy of the decision referred to in the Circular.

Vide Board's Proceedings 9 April 1863, No. 2040, paragraphs 18 and 19 of Mr. Cunliffe's letter.

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1. ORDERED to be submitted to Government, with the request that early orders may be passed on the subject. The Board see no objection to the measure.

2. The decisions referred to by the Board in their letter dated 4th June 1863, in Government Order dated 15th June 1863, No. 1045, Revenue Department, are dated 31st August and 9th October 1861, A. S. No. 482 of 1860, and No. 10 of 1861, and must be on the Collector's records.

ORDER thereon, 15 August 1863, No. 1503.

REFERRED to the Advocate General, through the Government Solicitor, for his opinion as to whether the lands in question can be sold by Government by public auction. The Board of Revenue will furnish Mr. Boyson with any further information or papers he may require on the subject.

(signed) *C. G. Master*,
Deputy Secretary to Government.

LETTER from *J. R. Boyson*, Esq., Government Solicitor, Madras, to *J. D. Sim*, Esq., Secretary to Government, Revenue Department, Fort St. George; dated Madras, 3 September 1863 (No. 656).

Sir,

1. I HAVE the honour to acknowledge the proceedings of Government noted in the margin.

Dated 15 August 1863, No. 1503, Revenue Department.

2. Having obtained from the Board of Revenue such further information as I considered it necessary to submit to the Advocate General, I laid the papers before him for his consideration, and

3. I now forward a copy of his opinion.

COPY OPINION.

1. I HAVE perused the papers submitted with the Order of Government in the Revenue Department, No. 1503, dated 15th August 1863.

2. The letter of Mr. Ellis to the Revenue Board, dated 9th July 1863, No. 248, does not state whether the lands in queston are merassee or not.

3. If they are not merassee lands, I am of opinion that Government may deal with them in any way it pleases. In addition to the Sudder cases alluded to by the Board, there is a recent decision of the High Court on its appellate side to this precise effect. Special Appeal No. 839 of 1861, which will be found in Mr. Stokes' Reports, p. 12. The fact of abandonment for a series of years appears to be sufficiently established.

4. If the lands, however, are merassee lands, "uncultivated waste," I need scarcely say that the question of the meerasidar's rights is almost certain to be mooted if any attempt be made to sell them as proposed by the Collector.

(signed) *J. B. Norton,*
Advocate General.

31st August 1863.

ORDER thereon, 10th September 1863, No. 1677.

1. COMMUNICATED to the Board of Revenue.

2. In regard to lands of the description mentioned in paragraph 3 of the Acting Advocate General's opinion, the Board will instruct the Collector for the present to limit himself to the levy of assessment.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 77. —

LETTER from *G. S. Forbes*, Esq., Collector of Ganjam, to *W. Hudleston*, Esq., Secretary to the Board of Revenue; dated Chetterpore, 17 October 1863 (No. 213).

Sir,

1. I HAVE the honour to report, for the information of the Board, the sale on the 15th instant of 610 acres of unassessed waste land, in nine lots, for 14,270 rupees.

* NOTE.—As per Advertisement in the District Gazettes of the 20 June 1863, 11 July 1863, and 10 October 1863.

2. The amount in allotment, 14,270 rupees, the prescribed deposits were duly made, and documents in forms C. or D., as required by the rules of the 5th March last, No. 476, executed by the purchasers, and a copy of the notice of sale attached to each document signed by myself and the respective purchasers.

3. The Board will, from the accompanying memorandum, learn the particulars of the sales.

4. The competition for the smaller lots was exceedingly keen.

5. The sale of other lots has been retarded by delay in the erection of boundary pillars; several lots have also been struck off the list because the lands were required for public purposes or sought to be held under Cist. One applicant for 1,000 acres has died since.

6. Mr. Burgess, who withdrew his application to purchase 7,000, has since taken up 2,000 and odd acres on cowle.

(Enclosure.)

MEMORANDUM.

District.	Talook.	Village.	No.	Extent.				Sale Prices.	Rate per Acre.		
				A.	*C.*	*S.y.*	*S.ft.*	*Rs.*	*Rs.*	*a.*	*p.*
Ganjam.	Berhampore.	Haledeyabadra -	1	22	21	72	½	780	34	9	8
		Ditto - -	2	28	33	72	3¾	2,000	69	5	7
		Ditto - -	3	9	14	42	8	305	32	9	5
		Ambogada - -	4	43	13	100	–	2,130	49	2	3
		Haradokandy - -	5	16	39	90	¾	600	35	4	11
		Burbadeya - -	6	68	25	97	4¾	1,925	28	0	8
		Sekharapuram - -	7	28	1	68	7¼	1,205	42	15	7
		Nursingapuram -	8	262	33	36	5¼	3,000	11	6	8
		Bulliyagada - -	9	129	31	57	5½	2,325	17	14	9
		TOTAL - - -		610	15	32	8¾	14,270	23	6	1

(signed) *G. S. Forbes,* Collector.

1. ORDERED to be submitted for the information of Government.
2. The average price obtained per acre is *Rs.* 23. 6. 1.

Dated 3 November 1863.

ORDER thereon, 20 November 1863, No. 2091.

RESOLVED, That the Collector of Ganjam be called upon, through the Board of Revenue, to report the particulars of the Cowle granted to Mr. Burgess.

(signed) *J. D. Sim,*
Secretary to Government.

— No. 78. —

No. 3119 of 1862.—Revenue Department.

From the Revenue Commissioner, S. D., Bombay, to the Acting Chief Secretary to Government, Bombay.

Sir,

WITH reference to the Government Resolution, No. 3571, dated 25th September 1862, I have the honour to state that I am of opinion that the Draft Bill, a copy of which accompanied it, is, with a few exceptions, well adapted for the purpose for which it is intended, as explained in its preamble. This opinion, I beg to observe, is independent of the question as to whether or not such land as the Bill contemplates, is to be found in this Presidency.

2. The matters with respect to which the Bill appears to me to require correction, are as follows:—

1. The minimum period of the advertisement provided in section 1 is, I think, much too short. In a country where intelligence is conveyed so slowly as here, and where so many obstacles exist to the prompt submission of a claim or appeal, even after the person who has to make it has become alive to its necessity, the authority of carrying out a sale of waste land one month after the intention of selling it is first advertised, would be practically, in most cases, an authority to sell it without notice. I am respectfully of opinion that the minimum period to be allowed previous to sale should be three months, instead of one.

2. Sections 2 and 4 of the Bill provide for the Collector stopping the intended sale, if satisfied that a claim is established, but contemplates the possibility of future interference by Government, resulting in the setting aside his opinion, while, at the same time, it does not explain according to what procedure the interference of Government is to be invoked in such case, or how they are to take cognizance of the matter. Section 4 also seems to me to unduly favour Government in the matter, as it gives them a whole year in which to prepare for litigating a claim of

which they are aware, and which is *primâ facie* one that ought not to be disputed; a laxity in strong contrast to the strictness of section 1 as it affects claimants whose first intelligence of the intended sale of the land to be claimed by them may be as little as a month from the date of an advertisement which may not be brought to their notice till long after its issue. I would make the maximum period provided by section 4 the same as the minimum period provided by section 1, fixing each as three months.

3. The same maximum period should also, I think, be provided for the procedure pointed out by section 3 in the case of claims rejected by the Collector. As the Draft stands, there is no limit to the time during which a claimant may be harassed by having a Government suit hanging over him.

4. In section 7, it is provided that the special courts shall be held where it "shall be considered most convenient." I would suggest that either the Court or Government should be specified as the authority by which this question of convenience should be settled. The former would seem preferable.

5. In section 9 it is provided that, in suits instituted by Government, no stamp-duties shall be chargeable on any writing or instrument described in Schedule B of Act X. of 1862. I do not see the use of this exception in the case of the waste lands courts more than in any other in which Government may have to appear as plaintiffs, and I fear the exception in this case may cause inconvenience. At any rate, I would exclude copies from coming within the scope of section 9. Section 30 of Act X. of 1862 prohibits all public officers from furnishing writings of any of the kinds specified in Schedule B. of the Stamp Act as requiring stamps, and it will create occasions of trouble and inconvenience if not of fraud, to let the obligation of the last-quoted section depend on the use for which any applicant for a copy may assert that he requires it.

6. Considering that the Bill, providing for what I admit to be a special necessity, makes (by its 15th and 17th sections) a sale according to its rules final so far as regards the land and its purchaser, I am respectfully of opinion that the stringent limitation to the period of one year of a claim for compensation is not equitable. The Government of India, for special reasons, propose to set aside the general law that a claim for land is not barred by less than 12 years of adverse possession, in order to meet the political necessity of giving a clear unassailable title to purchasers under the intended Act. But this necessity affords no sufficient grounds for limiting also the injured person's claim on Government for compensation. A proprietor of land sold in his absence by Government for a certain purpose of policy, and whose right to recover it, as in ordinary cases, is barred by the same policy, has just grounds of complaint if his claim for compensation for this hardship, is also barred, though no public policy requires that it should be so. As a proprietor under such circumstances must lose his property, I think that it would be more becoming in Government to extend the period during which he could demand compensation from them, beyond the limit of suits for land, than to contract it to less than the period limiting the enforcement of an ordinary shop debt. Under this view, section 14 will, to prevent it from being unjustifiably oppressive, require considerable relaxation.

7. Section 16 of the Bill appears to me to be mere verbiage. Of course Government are not debarred from doing justice, but what is wanted in the Act is the recognition and guarantee of the right of the injured proprietor to demand and enforce such compensation as he has justly a right to, not merely a permission to Government to render tardy justice, as they could do without this 16th section.

8. As the Bill has reference only to the sale of waste lands, and not to the redemption of land revenue, I do not see the necessity of the words "and other," in line 16 of section 19, or the words, "and by the redemption of land revenue," at the end of the same section.

I have, &c.

(signed) *W. Hart,*
Revenue Commissioner, S. D.

Solapoor Districts, Camp "Hippurgee,"
19 December 1862.

No. 287 of 1863.—Revenue Department.

From *A. D. Robertson*, Esq., Secretary to the Government of Bombay, to *E. C. Bayley*, Esq., Secretary to the Government of India.

Sir,

In continuation of my letter, No. 4187, dated the 17th November last, I am directed to forward, for submission to the Governor-General in Council, copy of a communication from the Revenue Commissioner, S. D., No. 3119, dated the 19th ultimo, relative to the Bill "to provide for the adjudication of claims to waste lands, and for the investment of the proceeds arising from the sale of such lands and of other Government lands, and from the redemption of Land Revenue."

I have, &c.
(signed) *A. D. Robertson*,
Secretary to Government.

Bombay Castle, 29 January 1863.

— No. 79. —

(No. 2562.) Resolution.

Paragraph 26 of the Despatch from the Secretary of State to Government of India, No. 14, dated 9th July 1862, gives Government a discretionary power to allow redemption of the land tax on "lands required for dwelling-houses, factories, gardens, plantations, and other similar purposes."

2. This power of redemption will meet the reasonable wishes of the proprietors of houses at Panchgunny and elsewhere who are anxious to secure themselves against future enhancement of the assessment on land, where they have expended large sums in building and other improvements.

3. The Revenue Commissioners and the Commissioner in Sind should therefore be authorised to receive and submit to Government for sanction, applications from the proprietors of lands of the nature above indicated for leave to commute the land revenue assessed on such lands for a single payment, in return for which the proprietor will receive a deed exempting such land from land tax for ever.

4. The rules for calculating the price to be paid, and for the investment of the proceeds, are laid down in paragraph 75 of the Secretary of State's Despatch.*

5. The Secretary of State's Despatch prescribes (paragraphs 25 and 75, &c.), hat redemption shall only be allowed where the revenue is found to be fairly assessed, so that the permission given will not apply where there is any reason to believe the land tax is otherwise than fairly assessed at its full amount.

Dated 3 August 1863.

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* "75. With regard to the investment of the amount which may be received by the Government from the sale of waste lands, or in commutation of land revenue, I observe that it is declared in paragraph 56 of the Resolution, that, 'with a view to secure the Government and the public creditor against any loss of existing sources of Government income, provision will be made by law that all sums paid in purchase of waste lands, or in redemption of land revenue, or in otherwise forestalling the land revenue, shall be paid to commissioners, and periodically invested in such manner as the law may direct;' and that the reports of the commissioners shall be regularly published. In reference to this arrangement I have to desire that all monies received on these accounts shall be invested, not periodically, but as soon as practicable, and, as a rule, in the four per cent loan. The price of redemption should be variable, according to the actual value at the time of that stock, so that the amount paid, when so invested, may produce a dividend equivalent to the annual revenue, which will thereon cease to be received." Resolution of Government of India, dated 17 October 1861.

LETTER from the Revenue Commissioner, (N.D. No. 2721); dated 17 September 1863.

GOVERNMENT SECURITIES.	Rs.
Four Per Cent. Sicca *Rs.* Transferred Loan	104
" " Sicca *Rs.* Loan, 1832-33	
" " Co's *Rs.* Loan, 1835-36	99½
" " " " " 1842-43	
" " " " " 1854-55	
Five Per Cent. Co.'s *Rs.* Loan	109¼
Five-and-a-Half per Cent.	118¼

REQUESTING instructions with reference to the Government Resolution, No. 2562, dated 3d August 1863, on a question put to him by the Acting Collector of Tanna as to upon which of the four loans, marginally noted, the calculation of redemption is to be made, and suggesting that the above Resolution may be published in the Government Gazette, if orders have not been already issued to this effect.

RESOLUTION.—The Revenue Commissioner should be informed that the price of the 4 per cent. Company's rupee loans should be adopted as the basis of calculation.

No. 3722 of 1863.—Revenue Department.

From the Revenue Commissioner, S. D., to the Officiating Chief Secretary to Government, Bombay.

Sir,

UNDER the authority contained in paragraph 3 of the Government Resolution, No. 2562, dated 3d August 1863, I have the honour to solicit the permission of Government to allow of the redemption of the land revenue leviable from a portion measuring five acres of the field survey, No. 55, in the village of Bheegwan, in the Indapoor Talooka of the Collectorate of Poona, held by Munajee bin Ramjee Pokhlay.

2. This person has given up six acres and one goonta of the above number, or field, as a site for a public Dhurrumsalla, and has also promised that a fine well, which he has just dug, shall be made use of by travellers resting in the Dhurrumsalla, the compensation awarded to him (for which sanction was solicited in my letter No. 3617,* dated 27th October 1863) being *Rs.* 152. 12. He is, however, anxious that, instead of keeping this money, he may be allowed to give it to Government in redemption of the land revenue of so much of the remainder of his field as he can convert into a garden to be watered by his well; and to this option he seems to have a right under the Secretary of State's Order, quoted in the above-mentioned Government Resolution. The present assessment of the five acres to which this request extends is in all *Rs.* 2. 3.; and supposing this assessment to be a full and fair one, the price of redemption, according to Sir Charles Wood's rule, at the present price† of the 4 per cent. loan would be *Rs.* 54. 11. I regard the present assessment as a low one, looking at the present value of money, but the acceptance of Munajee's offer, which is equivalent to nearly 70 years' purchase of the present land revenue, cannot possibly be disadvantageous to Government.

3. I would recommend that the Collector of Poona may be authorised to execute in favour of Munajee bin Ramjee Pokhlay a deed according to the form 1, printed at page 7 of the third appendix to the Calcutta Gazette, of Wednesday, 8th July 1863, with such verbal alterations as may be necessary to suit the circumstances of the case.

* *Vide* entry No. 2024 in the Revenue abstract of Proceedings for November 1863.

† 96 per cent.

I have, &c.
(signed) *W. Hart,*
Revenue Commissioner, S. D.

Poona, 4 November 1863.

No. 4301.—Revenue Department.

Bombay Castle, 2 December 1863.

RESOLUTION.—The sum offered in redemption of the revenue of five acres is the value awarded for the occupancy of six acres and one goonta. The offer, therefore, is undoubtedly an advantageous one for Government, and may be accepted. The collector should execute the deed as proposed by the Revenue Commissioner.

(signed) *A. D. Robertson,*
Officiating Chief Secretary to Government.

— No. 80. —

No. 760 of 1863.—Revenue Department.

From Lieutenant-Colonel *Turnly Barr*, Acting Political Agent, Rewa Kanta, to the Honourable *A. D. Robertson*, Secretary to Government, Bombay.

Sir,

I HAVE the honour to submit for the information and orders of Government, the copy of a proposal I have received from a Parsee firm desirous of bringing waste land in the Punch Mahals under cultivation.

2. The firm is, I am told, a highly respectable one, and as I found Nowrojee Pestonjee, the member of it, who has been here for some months in frequent personal communication with me, to be very intelligent and enterprising, I gave him every encouragement. Before the setting in of the monsoon I allowed him, by way of experiment, to cultivate a little land in the neighbourhood of Champaneer. The result has been so satisfactory that he tells me he and his partners are prepared to carry on operations on a large scale.

3. With two exceptions the conditions stipulated for in the proposal now submitted have already been anticipated in the notice to intending emigrants published by Major Buckle, in accordance with the instructions conveyed by your letter No. 1758, dated 2 May 1862.

4. The exceptional conditions will be found in paragraphs 9 and 10 of the proposal, and I hope I shall be authorised to grant them. The "Government houses" asked for in the 9th paragraph are in the ruinous city of Champaneer, and their continued occupancy can cause no loss or inconvenience; and, as the levy of transit duties in the Punch Mahals is not to be permanent, the assurance requested in the 10th paragraph, that they will not be raised may, I think, will be given.

5. The firm will furnish the security of the Bank of Bombay for any advances made for agricultural purposes, and care will be taken that sites chosen for huts or hamlets to be erected, will be such as not to interfere with the rights or immunities of any existing villages.

I have, &c.

(signed) *J. T. Barr*, Lieutenant-Colonel,
Acting Political Agent.

Rewa Kanta Agency, Baroda, 15 October 1863.

To Colonel *J. T. Barr*, Political Agent, Punch Mahal and Rewa Kanta, Baroda.

Respected Sir,

REFERRING to the printed notification issued in Guzerathee by Major Buckle, in conformity with the Order of Government, No. 1758, dated 2 May 1862, we beg respectfully to inform you that we have been allowed under that notification to cultivate 100 acres of waste land in Punch Mahal. We are happy to say that the experience made by us (of cultivating that portion) presents every hope of success, and we believe that if Government will give due encouragement to capitalists and cultivators the country will flourish ere long.

2. We now intend to cultivate the soil in Champaneer, and the village of Vesunia, under the Hallole district, on a large scale. We beg, therefore, you will be pleased to provide us with an order to that effect, duly sanctioned by the Bombay Government.

3. In requesting the indulgence referred to in the last preceding paragraph we beg most respectfully to be understood to be willing to undertake the task of cultivating under the following conditions, some of which will be observed to be in conformity even with the letter of the notification above-mentioned, the rest being quite consistent with its spirit, as suited, in our humble opinion, to carry out with effect the object of the Bombay Government.

4. That the spot of ground chosen by us for the site of huts or villages will be allowed us, and such huts will not be liable to be removed or subjected to land tax in future.

5. That we shall cultivate the soil this year, and continue to do so as long as our circumstances, as well as the climate of the country, which is, you are aware, very unhealthy,

will permit, and shall be glad to pay the assessment on lands cultivated by us year after year according to the scale laid down in the notification referred to in paragraph 1, for such number of years only as we may cultivate—that is to say, gratis for two years, one-fourth of the existing rate for the third and fourth years, one-half the rate for the fifth and sixth years, three-fourths of the rate for the seventh and eighth years, and the whole for the ninth and tenth and following years.

6. That, in pursuance of section 4 of the said notification, we shall be constituted patells of the villages established by us, and a gratuity of 5 per cent. of lands cultivated by us, or by people brought there through our exertions, allowed, as therein stated.

7. That no transit duty will be charged for timber brought from Punch Mahal jungles for the purpose of building huts for the cultivators.

8. That 5,000 to 10,000 rupees will be advanced to us for agricultural purposes on our furnishing Government with good and solvent securities for its repayment, as required by the notification in such a case.

9. That we shall be permitted freely to occupy such Government houses as are now made over to us, and keep them in repair, and we shall not be liable to be evicted from such houses as long as we may require them.

10. That we shall be furnished with a list showing the rates at which transit duties are presently charged on goods in Punch Mahal, and that no more duty than that specified in such list shall be charged to us in future, and that, should Government hereafter abolish the tax, we would also be exempted from paying the import.

11. That persons or cattle employed on our works will not, under any circumstances, be forced for Government or other purposes.

12. That after 350 beegas of land are cultivated, and more than 20 huts erected as a separate hamlet, Government will be pleased to sink a well for the settlers, should no well previously exist.

13. Should Government kindly allow us to cultivate the soil in Punch Mahal on conditions herein above detailed, we beg most respectfully to suggest that we may be informed of the sanction being obtained from Government before the 20th of November next, that we may lose no time in buying cattle at the fast-approaching fair in Guzerat, and commencing work, else it is apprehended the season would be lost.

14. With a sincere hope that our request will be granted,

We beg to remain, &c.
(signed) *Nowrojee Pestonjee*, and
Framjee Pestonjee & Co.,
Merchants.

Baroda, 14 October 1863.

No. 3680 of 1863.—Revenue Department.

Bombay Castle, 22 October 1863.

The Political Agent is requested to forward copy or translation of the notice published by Major Buckle which is referred to in paragraph 3 of this letter.

2. The individuals whose application Colonel Barr forwards submit, it would appear, a very different proposal to the measure sanctioned by Government, the object of which was to attract population to the Punch Mahals rather than bring fresh land under cultivation. With this object the concessions were to be in favour of the individual settlers or immigrants, in respect to each of whom a maximum and minimum quantity of land was to be laid down, those settling with families of children getting an increased quantity of land according to the number of children they had.

I have, &c.
(signed) *A. D. Robertson*,
Officiating Chief Secretary to Government.

No. 799 of 1863.

The Acting Political Agent has the pleasure to forward a copy and translation of the notice quoted in the 3d paragraph of his letter, No. 760, of the 15th instant. He understands now the difference between the proposal submitted and the measures originally sanctioned by Government, which he had before in some degree overlooked, but he thinks that in the present condition of the Punch

Punch Mahals it would be well to grant considerable tracts of waste land to capitalists, such as the individuals whose application is discussed, who are ready to undertake cultivation by hired labour; for individual settlers of the agricultural class appear to regard the Punch Mahals with fear and distrust, and none of them come forward to accept the terms offered. They would come, no doubt, if fear and distrust were removed by practical proof of fertility of soil, and of safety to life and property in the districts to be peopled. The Acting Political Agent therefore suggests that a maximum of waste land sufficient to tempt the outlay of capital, say 2,000 or 3,000 beegas, be offered to persons wishing to cultivate by hired labour on their engaging to occupy for 10 years, and not to sublet any of the land during that period. For such period of occupancy no reward in land or in right of patellship to be given, but both to be given afterwards, as promised in the notice already published, if separate cultivators are substituted for the hired labourers. For example, a man gets 2,000 beegas of waste land on the conditions laid down in the first paragraph of Major Buckle's notification; he cultivates it by hired labor for 10 years; at the end of that period, if he bring in independent cultivators to be registered for their various holdings by Government, he becomes entitled to the benefits offered in the 4th paragraph, which he otherwise forfeits. The Acting Political Agent believes that a few examples of profitable cultivation by hired labour will do much to attract permanent settlers.

(signed) *J. T. Barr*,
Acting Political Agent.

Baroda, 29 October 1863.

NOTIFICATION.

IT is hereby notified to the public that Pawaghur Punch Mahal, consisting of the districts of Hallole, Kallole, Godra, Dohud and Ihallode, have become Government territory. Owing to scarcity of population, there are very large tracts of waste land in the country. The following conditions are therefore offered to immigrants from other districts, in accordance with the Orders of the Government of Bombay, No. 1758, dated 2 May 1862:—

1. On settlers building substantial houses, and binding themselves not to leave the land for 10 years, they will be allowed to enjoy it rent-free for two years. In the third and fourth years one-fourth of the usual assessment of the district will be levied; in the fifth and sixth, one-half; in the seventh and eighth, three-fourths; and in the ninth and subsequent years the full assessment.

2. Every settler will on appearing (before the authorities) be allowed the land he requires, after reference to his means.

3. No charge will be made on timber felled in Punch Mahal limits for house-building.

4. The establisher of a new village will be made Patell thereof if he pleases, and be allowed to enjoy, rent-free, one beega of land for every 20 brought under cultivation during the first 10 years of the establishment of the village.

5. It is the duty of the Patells of the villages now existing, to encourage the extension of cultivation in their villages by bringing in new settlers. They must, therefore, do so, and increase the revenue, and a suitable reward will be bestowed on them for their exertions.

6. Tuccavee advances will be made to immigrants on their furnishing good security for the same being laid out for agricultural purposes, and for the refund of the money.

7. The land in the Punch Mahal is very fruitful. It has, besides, remained waste for many years, and will consequently yield good crops. It will, therefore, be to the great benefit of those who, taking advantage of this notification, immigrate into the districts. They will have to pay no assessment for the first two years, and only three years' assessment within the next six years, *i. e.*, within the whole eight years they will enjoy rent-free for five years. It is believed that any person in indigent circumstances, who immigrates on these terms will, no doubt, prosper soon. Intending settlers should apply to the Mamlutdar of the district in which they wish to settle, or to the Political Agent Rewa Kanta, and arrangements, as detailed above, will be made for them.

Dated 7 May 1862.

(signed) *C. Buckle*,
Political Agent.

No. 4648 of 1863.—Revenue Department.

To the Revenue Commissioner, N. D.

Sir, Bombay Castle, 30 December 1863.

I AM directed to forward the accompanying papers, noted in the margin, and to request that you will favour Government with your opinion thereon, as to whether, in the present condition of the Punch Mahals, it is desirable that capital, if possible, should be attracted to them, and whether you consider that the terms sanctioned in Government Letter No. 1758, dated 2 May 1862, which were intended to encourage individual cultivators to emigrate from more populous districts and settle in the Punch Mahals, should be made applicable to the case of capitalists desirous of taking up land for cultivation in those districts. Such individuals would not probably import labour into the Mahals, but would endeavour to employ the indigenous labour of the districts, and in their case the grant of land on the principles on which the rules for the sale of waste lands were framed, appear to be more suitable.

1. Letter from the Acting Political Agent, Rewa Kanta, No. 760, dated 15 October 1863, with accompaniment.
2. Government Endorsement, No. 3680, dated 22 October 1863.
3. Memorandum from the Acting Political Agent, Rewa Kanta, No. 799, dated 29 October 1863, with accompaniment, on the subject of an application from a Parsee firm, named Nowrojee Pestonjee and Framjee Pestonjee and Co., to be allowed to cultivate waste lands in the Punch Mahals, on certain conditions.

2. Most of the lands in the Punch Mahals are understood to be very fertile, and to be covered with timber, which, owing to the demand for railway sleepers, is valuable, and is in great request, care should therefore be taken to guard against grants which may be applied for only on account of the timber by effecting the sales of the land, if determined upon, irrespective of the timber upon it, and requiring payment of the forest fees on all trees that may be felled and removed on which such fees are levied.

3. As Government have no information with regard to the value of the waste lands in the Punch Mahals, it will be necessary, in the event of sales being determined on, to make some inquiries on this point with the view of fixing the upset price per acre at which the lands should be sold. You are requested to state your opinion whether it would not be advisable that the Superintendent of the Revenue Survey in Guzerat, Captain Prescott, should be called upon to make this inquiry, reporting the result to Government; and whether he should also be required to select and mark off a few lots, not exceeding 3,000 acres each, to be sold, as an experiment during the ensuing year.

I have, &c.
(signed) *A. D. Robertson*,
Officiating Chief Secretary to Government.